

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
GO GLOBAL RETAIL, LLC,

Plaintiff,

-against-

Index No.1:23-cv-07987

DREAM ON ME, INC. and DREAM ON ME INDUSTRIES,

Defendants.

- - - - - X

October 17, 2024
10:00 a.m.

DEPOSITION of MILAN

GANDHI, a witness for the Defendant herein,
taken by the attorney for the Plaintiff,
pursuant to Notice, held via web conference,
on the above date and time, before Jennie
Kilgallen, a Stenotype Reporter and Notary
Public within and for the State of New York.

1

2 A P P E A R A N C E S:

3

4 FALCON, RAPPAPORT & BERKMAN, PLLC
Attorneys for the Plaintiff
5 265 Sunrise Highway - Suite 50
Rockville Centre, New York 11570

6

7 BY: STEVEN BERLOWITZ, ESQ.
sberlowitz@frblaw.com

8

9 GREENBAUM, ROWE, SMITH & DAVIS, LLP
Attorneys for the Defendant
10 75 Livingston Avenue
Roseland, New Jersey 07068

11

12 BY: THOMAS MURPHY, ESQ.
tmurphy@greenbaumlaw.com

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

FEDERAL STIPULATIONS

IT IS HEREBY STIPULATED AND AGREED, by
and between the parties hereto, through their
respective Counsel, that the certification,
sealing and filing of the within examination
will be and the same hereby waived;

IT IS FURTHER STIPULATED AND AGREED that
all objections, except as to the form of the
question, will be reserved to the time of the
trial;

IT IS FURTHER STIPULATED AND AGREED that
the within examination may be signed before
any Notary Public with the same force and
effect as if signed and sworn before the
Court.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

THE COURT REPORTER: It is hereby stipulated and agreed to by and between counsel for all parties present that this deposition is being conducted remotely by video conference, and that the court reporter, witness and all counsel are in separate remote locations and participating via Zoom or any web conference meeting platform under the control of the court reporting agency.

It is further stipulated that this video conference will not be recorded in any manner and that any recording without the express written consent of all parties shall be considered unauthorized, in violation of law and shall not be used for any purpose in this litigation or otherwise.

Before I swear in the witness, I will ask each counsel to stipulate on the record that I, the court reporter, may swear in the witness even though I am not physically in the presence of the witness and that there is no objection

1

2

to that at this time nor will there be
any objection at a future date.

3

4

All attorneys state they have no
objection or so stipulated?

5

6

MR. BERLOWITZ: I consent.

7

8

MR. MURPHY: I consent as well for
defendants.

9

10

THE COURT REPORTER: Counsel, can
you represent to the best of your
knowledge and belief, that the witness
appearing today via web conference is,
in fact, Milan Gandhi?

11

12

13

14

MR. MURPHY: Yes.

15

16

(Whereupon, the Witness presented a
NJ State driver's license.)

17

M I L A N G A N D H I,

18

19

20

The witness herein, having been first duly
sworn remotely by a Notary Public of the State of
New York, was examined and testified as follows:

21

22

THE COURT REPORTER: May we have
your name for the record.

23

THE WITNESS: Milan Ghandi.

24

25

THE COURT REPORTER: And your
address for the record.

1 M. Gandhi

2 THE WITNESS: 70-25 Yellowstone
3 Boulevard, apartment 19C, Forest Hills
4 New York. 11375.

5 EXAMINATION BY

6 STEVEN BERLOWITZ, ESQ.:

7 Q. Good morning, Milan. My name --

8 A. Good morning.

9 Q. -- is Steven Berlowitz and I am
10 with the law firm of Falcon, Rappaport &
11 Berkman and I represent the plaintiff in the
12 case Go Global Retail, Inc. versus Dream On
13 Me. Have you ever been deposed before?

14 A. No.

15 Q. I'm going go over a few ground
16 rules. This deposition is being
17 stenographically recorded, but is not being
18 video recorded. So, my request to you is
19 that you please answer all of my questions
20 verbally and not with physical movements like
21 a nod of the head or a shrug of the shoulder
22 so the court reporter can take down your
23 responses. Do you understand that?

24 A. Yes.

25 Q. Thank you. I also ask that you

1 M. Gandhi

2 please wait until I've completed asking my
3 question and I will wait for you to respond,
4 that way the court reporter can get
5 everything down. If we are speaking over
6 each other, it's very difficult for her to
7 take down what we are saying. Do you
8 understand that?

9 A. Yes.

10 Q. If you need to have any question
11 repeated for any reason, I'm happy to do so
12 or happy to have the court reporter read it
13 back to you. Do you understand that?

14 A. Yes.

15 Q. Please let me know if you do not
16 understand a question or if you need me to
17 rephrase. If you answer a question, I'm
18 going to assume that you understood the
19 question I'm asking. Do you understand that?

20 A. Yes.

21 Q. Please also let me know if you need
22 a break at any time. That's completely fine.
23 But just we cannot a take break while a
24 question is pending. Do you understand that?

25 A. Yes.

1 M. Gandhi

2 Q. Do you understand that you are
3 testifying under oath and under the penalty
4 of perjury?

5 A. Yes.

6 Q. Have you ever been a plaintiff or a
7 defendant in another lawsuit before?

8 A. No.

9 Q. Have you ever been a witness in
10 another lawsuit before?

11 A. No.

12 Q. Have you ever been arrested or
13 convicted of a crime?

14 A. No.

15 Q. Are you taking any medication that
16 might affect your memory or ability to
17 testify truthfully today?

18 A. No.

19 Q. Can you please discuss your
20 education history?

21 A. I've done my Bachelor of Commerce
22 and Masters in Commerce.

23 Q. So your Bachelor in Commerce, is
24 that a college degree?

25 A. Yes, college degree.

1 M. Gandhi

2 Q. Where did you attend college?

3 A. India.

4 Q. Did you say Yale?

5 A. No, India.

6 Q. India, sorry. Maybe I thought you
7 said Yale. My apologies. Which school did
8 you attend?

9 A. So there is a college called H L
10 College of Commerce in the State of
11 Ahmedabad.

12 Q. And you said you got a bachelor's
13 at that school.

14 A. I got the bachelor's there and I
15 did post-graduate in accounting.

16 Q. And what schools did you attend for
17 graduate school?

18 A. So that is not a school, it's an
19 organization called Institute of Chartered
20 Accountants of India.

21 Q. Did you attend any other graduate
22 programs?

23 A. No. I did my certificate -- what
24 do you call, Certified Information System
25 Auditor here.

1 M. Gandhi

2 Q. You anticipated my question. Do
3 you have any professional certificates or
4 licenses?

5 A. Yes, that's the one that I got it
6 here.

7 Q. Do you have any others?

8 A. No.

9 Q. Have you ever been the subject of
10 any disciplinary action or censure by a
11 licensing body?

12 A. No.

13 Q. Have you ever been the subject of
14 any disciplinary action or censure by a court
15 or tribunal?

16 A. No.

17 Q. Can you please describe your work
18 history starting with your first job after
19 college?

20 A. So I worked for a company in India
21 for six years. In 1991, I started. And then
22 I came here and I'm here since 1996.

23 Q. What was the name of that company,
24 that first company in India?

25 A. Ervin Mills, Ltd.

1 M. Gandhi

2 Q. And what was your role there?

3 A. Accounting.

4 Q. And when you came to the United
5 States, where were you working?

6 A. I was worked for the subsidiary of
7 the same company for a few years and then
8 with different companies.

9 Q. And which companies were those?

10 A. So the first Ervin Worldwide. Then
11 there was in 2001 there was another diamond
12 company. There was Prestige and then there
13 was Fabriaant-Tara.

14 Then there was a license -- another
15 company called Natori, the brand name. We
16 have a license of that company.

17 Q. Are you finished describing your --

18 A. And then two more companies. There
19 was a licensee of Nicole Miller. And there
20 was a home furnishing company, Welspun, a few
21 months after that. That was the last one.

22 Q. Welspun?

23 A. That was in 2020. After that I've
24 been doing my own consulting and working with
25 smaller clients.

1 M. Gandhi

2 Q. And what were your roles in these
3 past jobs, if you could describe that
4 briefly.

5 A. Mainly accounting. Everything was
6 to do with accounting.

7 Q. Did you ever work with a company
8 called Dream On Me?

9 A. They were one of my clients.

10 Q. And when did they become a client
11 of yours?

12 A. I think '22 or something. I don't
13 remember exactly, but I think around '21, '22
14 I guess.

15 Q. This is when you were out on your
16 own?

17 A. Yes, when I started my own
18 consulting.

19 Q. What is the name of your consulting
20 company?

21 A. I don't have a name. I just put it
22 in my personal name.

23 Q. What did you do to prepare for this
24 deposition today?

25 A. Nothing. I was just told that I

1 M. Gandhi

2 have to tell them whatever I remember from
3 those days and I just like to refresh my
4 memory of those days, those couple of weeks
5 that they were going -- when we went to the
6 court and we had meetings and everything.

7 Q. Did you speak with anyone in
8 preparation for today's meeting?

9 A. Just the lawyer advised me that you
10 have a deposition.

11 Q. Sorry, hold on. I don't want to
12 know what you said to your attorney or what
13 your attorney said to your attorney. It's
14 okay for you to tell you that you spoke to
15 him, but I don't know want to know about the
16 conversation. Did you speak with anybody
17 else?

18 A. Not really.

19 Q. You didn't speak with Mark Srour?

20 A. No.

21 Q. You didn't speak with Avish Dahiya?

22 A. They know that I had the
23 deposition.

24 Q. Did you review any documents in
25 preparation for today's deposition?

1 M. Gandhi

2 A. Yeah, a few emails that I got I
3 knew about.

4 Q. Anything else?

5 A. No.

6 Q. Did you take any notes in
7 preparation for today's deposition?

8 A. Generally, whatever I remember, I
9 know it so I don't need to take any notes
10 like that.

11 Q. I assume you don't have any notes
12 in front of you right now?

13 A. Not at all.

14 Q. Did you have a role in collecting
15 documents in this litigation?

16 A. No.

17 Q. We talked about Dream On Me, do you
18 know what Dream On Me is?

19 A. Yes, a furniture company.

20 Q. It's a furniture company?

21 A. Yes.

22 Q. And it's a company you did work
23 for, is that right?

24 A. Yes, their accounting.

25 Q. And I believe you said you started

1 M. Gandhi

2 around '21 or '22?

3 A. Yes.

4 Q. What specifically -- what kind of
5 work did you do for Dream On Me?

6 A. So I was helping with their
7 accounting department, looking at the
8 accounts, creating new reports, looking at
9 the sales deductions, the amount that gets
10 deducted when you get the money from your
11 customer and then how to reduce those kind of
12 expenses or the deductions.

13 Q. So you were a consultant, you're
14 not a W-2 employee with Dream On Me?

15 A. No.

16 Q. Are you aware --

17 MR. MURPHY: You meant -- you need
18 to reask the question, the way he
19 answered no --

20 MR. BERLOWITZ: Fair enough.

21 (Whereupon, the record was read as
22 requested.)

23 A. Correct.

24 Q. That's been the case for your
25 entire relationship with Dream On Me?

1 M. Gandhi

2 A. Yes.

3 Q. Are you aware that Dream On Me
4 participated in a bankruptcy auction to
5 acquire buybuy BABY assets in 2023?

6 A. Yes.

7 Q. Did you work on that with Dream On
8 Me?

9 A. I was a facilitator of that
10 process.

11 Q. What did you do in relation to that
12 project?

13 A. So I got them the lawyer. I spoke
14 with, you know, Lazard Capital, like
15 communicated back to them and got the
16 information back from them so I passed it
17 onto them. I was facilitating the whole
18 process of what they want to do.

19 Q. Just backing up for a second, can
20 you tell me a little bit more about what
21 Dream On Me does?

22 A. They're furniture manufacturers.

23 Q. Pardon me?

24 A. Manufacturing and wholesale.

25 Q. Anything else?

1 M. Gandhi

2 A. No, Dream On Me is in furniture.
3 That's what I worked on.

4 Q. Do you know whether Dream On Me has
5 experience with retail?

6 A. Dream On Me never had retail
7 stores.

8 Q. Okay.

9 A. They work with retailers, but they
10 don't have their own retail stores.

11 Q. Understood. Is Dream On Me a
12 manufacturer?

13 A. No, they're wholesalers. They get
14 their furniture from outside.

15 Q. Just switching back now to the
16 buybuy BABY bankruptcy, did you become aware
17 of this bankruptcy at a certain point in
18 time?

19 A. Yes, I think there was a public
20 information that came out about them filing.

21 Q. And when did you become aware of
22 this?

23 A. I think after filing we came to
24 know about it because we had a call with them
25 and they let us know that, you know, they are

1 M. Gandhi

2 filing the bankruptcy and everything.

3 Q. You had a call with buybuy BABY?

4 A. No, we had a call with Lazard that
5 informed us about that. I think -- no, there
6 was a call with the representative from Bed,
7 Bath & Beyond.

8 Q. When did you learn about this
9 bankruptcy auction?

10 A. Auction was when Lazard came out
11 and told us about the different dates,
12 targeting about the dates.

13 Q. I want to know when that was if you
14 can tell me the date?

15 A. I don't remember the date exactly.

16 Q. Are you able to approximate?

17 A. June/July.

18 MR. MURPHY: Just to clarify, are
19 you asking about the bankruptcy auction
20 or the bankruptcy filing?

21 Q. I'm talking about -- I guess I'm
22 asking about both.

23 Milan, do you to want to clarify if
24 there's a distinction in your mind whether
25 you learned about the bankruptcy auction at

1 M. Gandhi

2 one point versus the bankruptcy filing?

3 A. So the filing was prior to the
4 auction. So filing came earlier to us, known
5 to us, and then it became the auction and
6 then when I was talking to Lazard that
7 different dates were happening about the
8 auctions and everything.

9 Q. When did you learn about the
10 bankruptcy filing?

11 A. Should be June.

12 Q. When you learned about the auction,
13 do you know whether Dream On Me began to work
14 to prepare and submit a bid?

15 A. They asked me to hire a lawyer to
16 look into what they can do. And then they
17 started working on looking at options whether
18 they could get a partner into that process.

19 Q. And that was some time in June of
20 '23?

21 A. I think a little bit before the
22 auction date. I think probably two or three
23 weeks before the auction date they were
24 looking into that option because I remember
25 that part, they were talking about they

1 M. Gandhi

2 should try to buy the buybuy BABY.

3 Q. What was your role in relation to
4 Dream On Me's preparation and submission of a
5 bid?

6 A. I was coordinating the whole
7 exercise. I was talking to Lazard. I was
8 talking to internal people and talking to
9 lawyers. I was kind of translating
10 everything what was happening and what they
11 should take care of because it's a big
12 company versus you are a small wholesaler.

13 So I just was getting the piece of
14 advice that you be careful because this is a
15 very big company that you're dealing with
16 now.

17 Q. Do you know why Dream On Me was
18 interested in buybuy BABY's assets?

19 A. I think because the furniture
20 synergy, buybuy BABY had a lot of furniture
21 and they were selling to buybuy BABY before
22 they filed for bankruptcy. They stopped
23 selling because there was no credit
24 insurance, like everything stopped. So they
25 also had stopped selling to them because

1 M. Gandhi

2 there was no credit insurance available on
3 buybuy BABY.

4 When this happened I think they were
5 looking into it, you know it's a good synergy
6 because we have furniture, their furniture.

7 Q. Have you heard of a company called
8 Go Global before?

9 A. No.

10 Q. Let me verify, have you now heard
11 of a company called Go Global?

12 A. Of course.

13 Q. And --

14 A. I was in the meeting with Go
15 Global.

16 Q. When did you first learn about the
17 existence of Go Global?

18 A. When these people called me for the
19 dinner.

20 Q. Which people?

21 A. Mark and Avish called me to attend
22 a dinner with Go Global.

23 Q. Do you know whether Lazard
24 introduced you to Go Global?

25 A. I think so, yes. Lazard asked

1 M. Gandhi

2 Avish or someone to get in touch with Go
3 Global because they are also interested in
4 putting a bid and I think that is how they
5 connected each other.

6 Q. Before you spoke with Go Global,
7 what was your view on the potential
8 partnership that Dream On Me could form with
9 Go Global in relation to this bid?

10 A. I had no view at that point because
11 I did not know what Go Global is.

12 Q. At that point Dream On Me was
13 looking for a partner, is that right?

14 A. Yes -- you know one thing I make
15 them clear was that you are a small company.
16 Buybuy BABY is a very big company so can you
17 do it yourself? That was the question I
18 raised and that may be the reason they may be
19 looking for partners to go in with them.

20 Q. Were there other reasons that Dream
21 On Me was looking for a partner, if you know?

22 A. Maybe capital because they do not
23 have the -- buybuy BABY required more than a
24 hundred million dollars to buy.

25 Q. Did anyone else at Dream On Me

1 M. Gandhi

2 express to you their thoughts about why they
3 would want to potentially partner with Go
4 Global?

5 A. There was no specific thought. Go
6 Global had a retail company that they were
7 successfully managing and they were
8 recommended by Lazard Capital. So it was
9 good for them to meet each other and explore
10 synergy.

11 Q. Do you know why Lazard recommended
12 Go Global in particular?

13 A. No.

14 Q. Did you have a conversation with
15 Lazard about what Dream On Me's needs were
16 for a partner?

17 A. I don't think so.

18 Q. At the time you began speaking with
19 Lazard in search of partners, what work had
20 Dream On Me done in relation to this bid?

21 A. There was no specific work that I
22 recollect that they were doing at that point,
23 just to explore whether that could be a good
24 fit for them.

25 Q. Had they done any due diligence

1 M. Gandhi

2 work?

3 A. I think they're in the same
4 industry, so they may be talking, but I will
5 not know anything about that.

6 As I said, my role was just to
7 facilitate the meetings and the calls. I was
8 not participating into those strategy
9 conversations if they had any.

10 Q. Do you know if they had begun
11 preparing a financial model at that point?

12 A. I think David is not preparing, but
13 the buybuy BABY's financial consultants were
14 preparing and giving it to them.

15 Q. Did you tell Lazard that you were
16 looking for investors?

17 A. I would not have said investors, I
18 would have said they will need capital.

19 Q. Did you tell Lazard that you were
20 looking for a partner who knew how to operate
21 the business?

22 A. No, I don't think so.

23 Q. Did you tell Lazard that you were
24 behind on the work you needed to do to
25 prepare and submit a bid?

1 M. Gandhi

2 A. I don't recollect, but there was no
3 preparation done so I don't know.

4 Q. When you say no preparation done,
5 there was no preparation done, can you give
6 me a timetable?

7 A. I was not told about any specific
8 preparation that they had to do to acquire
9 this asset.

10 Q. To be clear, just to put a fine
11 point on this, you're not aware of the work
12 Dream On Me had performed at this point in
13 relation to the bid, and at this point refers
14 to sometime in early June?

15 A. Correct.

16 (Whereupon, at this time, an
17 exhibit was displayed via Zoom.)

18 MR. BERLOWITZ: I will be sharing
19 documents with you, Milan. I'm sharing
20 a document with you right now which I
21 would like to mark as Exhibit 1.

22 (Whereupon, at this time, a
23 document was marked as Plaintiff's
24 Exhibit 1, as of this date.)

25 Q. This is an email that you sent. It

1 M. Gandhi

2 is dated June 10. The first page bears Bates
3 number DOM10791. Do you recognize this
4 email?

5 A. Yes.

6 Q. You write to Kathleen Lauster and
7 you said, "It was a pleasure meeting you all
8 virtually today and share respective
9 interests." Do you see that?

10 A. Yes.

11 Q. The other people cc'd on this email
12 are Matthew Lapish, Mark Srouer, Avish Dahiya,
13 Christian Feuer and Abhishek Pathania. Do
14 you see that?

15 A. Yes.

16 Q. Do you recall having a virtual
17 meeting with these people?

18 A. Yes, we had a virtual as well we
19 met for dinner so there were two meetings, I
20 remember.

21 Q. Okay. I know the dinner that
22 you're referring to and I'll get to that, but
23 I want to first focus on this virtual
24 meeting.

25 It appears this meeting happened on

1 M. Gandhi

2 June 10, is that accurate?

3 A. My email says June 10. I don't
4 know whether we met on June 10 or before
5 that.

6 Q. Okay. I believe, based on the fact
7 that there is a Zoom link here, this was a
8 Zoom meeting?

9 A. Right.

10 Q. Do you remember that?

11 A. No, I don't remember it, but I'm
12 sure it would have happened.

13 Q. Do you recall what you discussed at
14 this meeting?

15 A. No, I don't.

16 Q. Do you recall who attended this
17 meeting?

18 A. Virtual meeting, I don't know who
19 else were on the call, but since I copied
20 these people, I believe these people should
21 have been on the call.

22 Q. Do you recall any conversation with
23 Kathleen Lauster at this time?

24 A. Kathleen was representing Go
25 Global, if I remember correctly. And she was

1 M. Gandhi

2 also trying to facilitate the process between
3 the two parties.

4 Q. Do you recall having a conversation
5 with her on or around June 10?

6 A. I may have done a couple of times,
7 but I don't recall any specific conversation.

8 Q. Do you recall whether you told
9 Kathleen that Dream On Me was behind on the
10 work and it needed to do it to prepare and
11 submit a bid?

12 A. Yeah, because there was no clarity
13 when that's going to happen so I said
14 somebody has to put a bid, that a lot of
15 things need to be done.

16 Q. Did you tell Kathleen that Dream On
17 Me did not have retail store experience?

18 A. I don't recall that, but that's the
19 reality, that Dream On Me never had retail
20 stores.

21 Q. In your opinion, was Dream On Me
22 behind on its preparation to prepare and
23 submit a bid at this time?

24 A. There was no clarity about when
25 events were going to unfold in terms of all

1 M. Gandhi

2 this court proceedings and the auction.

3 It was all a moving target in that
4 particular period, one or two weeks, where
5 things were happening everyday and I was
6 coming to know that this is happening.

7 So for me to say they were behind or not
8 behind, it's not clear because there was no
9 specific requirements that were known to
10 anybody at that point except that you need a
11 lot of capital.

12 Q. Are you aware of the work Dream On
13 Me had performed up to this -- at this point
14 in time in preparation for a bid?

15 A. No.

16 Q. You don't know the amount of work
17 that Dream On Me performed?

18 A. No.

19 Q. Okay.

20 (Whereupon, at this time, an
21 exhibit was displayed via Zoom.)

22 Q. I'm sharing another document with
23 you. I'll mark this as Exhibit 2.

24 (Whereupon, at this time, a
25 document was marked as Plaintiff's

1 M. Gandhi

2 Exhibit 2, as of this date.)

3 Q. This is an email from Abhishek
4 Pathania dated June 10. You are one of the
5 recipients and this document Bates number
6 GG9434. Do you recognize this document,
7 Milan?

8 A. Let's open this.

9 Q. I'm focusing on the top email for
10 now.

11 A. This email could have come from
12 them.

13 Q. I'm asking if you recognize it?

14 A. I don't remember it.

15 Q. Okay. Abhishek writes, "Hi Avish,
16 PFA. Fully signed NDA. I have granted you,
17 Milan and Mark the data room access." Do you
18 see that?

19 A. Yes.

20 Q. Did you access the data, the Go
21 Global data room?

22 A. No.

23 Q. Do you know if anyone at Dream On
24 Me did access the Go Global data room?

25 A. I'm sure they might have done that.

1 M. Gandhi

2 Q. This email talks about an NDA.

3 Have you seen this NDA before?

4 A. No.

5 Q. Have you read it before?

6 A. No.

7 Q. Do you know if anyone at Dream On

8 Me read it?

9 A. I don't know about other people. I
10 did not read it. The date looks like June 10
11 which was a Saturday because we -- if it was
12 on Saturday, I don't know.

13 Q. I'm not trying to beat a dead
14 horse, but I will show you the NDA and just
15 make sure if you can confirm whether you
16 recognize it or not.

17 (Whereupon, at this time, an
18 exhibit was displayed via Zoom.)

19 Q. This is a copy of the NDA that was
20 attached to the prior email. I will label
21 this as Exhibit 3.

22 (Whereupon, at this time, a
23 document was marked as Plaintiff's
24 Exhibit 3, as of this date.)

25 Q. This document bears Bates numbers

1 M. Gandhi

2 GG8791. Do you recognize this document?

3 A. No.

4 Q. You've never read this document
5 before?

6 A. Never read this document.

7 Q. Okay.

8 (Whereupon, at this time, an
9 exhibit was displayed via Zoom.)

10 (Whereupon, at this time, a
11 document was marked as Plaintiff's 4 as
12 of this date.)

13 Q. I'm sharing another document with
14 you. This is Exhibit 4. This an email from
15 Mark to Milan and Jack Srouer. It is dated
16 June 13. The first page bears Bates numbers
17 DOM2770.

18 The top email is an email from Mark
19 saying, "Thanks Milan." The bottom is an
20 email, Milan, that you wrote. Do you
21 recognize this document?

22 A. Can I read it?

23 Q. I can scroll for you and take your
24 time and please read it.

25 (Whereupon, at this time, the

1 M. Gandhi

2 attorney scrolled through the exhibit as
3 requested.)

4 A. Yes, I remember I had written this
5 document.

6 Q. I want to ask you some questions
7 about this.

8 A. Sure.

9 Q. So the first line you wrote, "Hi
10 Mark. Yesterday's dinner was necessary to
11 understand views and ask of both parties and
12 here are my views." Do you see that line?

13 A. Right.

14 Q. You are referring to a dinner that
15 occurred. Do you remember that dinner?

16 A. Yes.

17 Q. You attended that dinner?

18 A. Yes.

19 Q. That dinner was on June 12, 2023,
20 is that right?

21 A. Date I don't remember, but I was at
22 the dinner.

23 Q. This email was sent on June 13
24 so --

25 A. Yes.

1 M. Gandhi

2 Q. Fair?

3 A. Yes.

4 Q. Do you recall who attended that
5 dinner?

6 A. There were two people from Go
7 Global. There were two people from Ankura.
8 And I think we were three from our side.

9 Q. Do you recall the names of those
10 people who attended?

11 A. Not the Ankura, I believe this lady
12 and one of her colleagues. Go Global was
13 Christian -- I don't know the name exactly.

14 Q. Is his name Christian Feuer? Would
15 that refresh your recollection?

16 A. Yes. Yes. And there was another
17 lady with him. And then there was Mark,
18 Avish -- Mark -- was Mark's son there also?
19 I don't remember. Yes, I think he was also
20 there.

21 Q. You mentioned a lady. Are you
22 referring to Kathleen Lauster from Ankura?

23 A. Kathleen came with one of her
24 colleagues. Christian came with one of his
25 colleagues. And then there was three or four

1 M. Gandhi

2 from our side.

3 Q. Do you know if Christian's
4 colleague's name was Deborah Garguilo?

5 A. I really don't remember.

6 Q. Okay.

7 A. If I see the face I would remember,
8 but not by the name.

9 Q. Fair enough. It's not a memory
10 test, I'm just trying to ascertain some
11 information. Do you recall what you
12 discussed at this meeting?

13 A. So that was briefly a meeting about
14 both parties introducing each other as to
15 what they've been doing and what are their
16 strengths in the business.

17 Q. What did Dream On Me express with
18 regard to what it had been doing and its
19 strengths in the business at that meeting?

20 A. So Dream On Me basically, because
21 of their experience for the last whatever 25
22 or 30 years that they were in this furniture
23 business and being a supplier to buybuy BABY,
24 they knew the categories that buybuy BABY was
25 selling and what they were supplying and

1 M. Gandhi

2 different various -- they felt strongly they
3 know this furniture business of buybuy BABY.

4 Q. Anything else?

5 A. They expressed what else they were
6 doing with other retailers.

7 Q. What else had they been doing with
8 other retailers?

9 A. They've been selling to other
10 companies also, Amazon and Walmart and Target
11 and everything else.

12 They spoke about all of those retailers
13 that they have a very good experience working
14 with the retail world in their category of
15 furniture.

16 Q. Did Dream On Me express why it
17 wanted to make a bid in this auction during
18 this meeting?

19 A. During this meeting I don't know
20 whether they covered that in that meeting or
21 the meeting afterward, but they did say that
22 in 2020 they were also trying to buy buybuy
23 BABY and now when they've gone bankrupt it
24 would be a good opportunity for them to, you
25 know, to do that again, try it again.

1 M. Gandhi

2 Q. Did you say that Dream On Me had
3 previously attempted to buy buybuy BABY in
4 2020?

5 A. They were wanting to buy it.

6 Q. They were interested in buying it?

7 A. They were interested in buying it.

8 Q. So they were looking into it, is
9 that right?

10 A. I don't know. I was not working
11 for them so I had no idea.

12 Q. And at this point on June 12 during
13 the meeting, do you know what work Dream On
14 Me had done in order to prepare and submit a
15 bid at the bankruptcy auction?

16 A. No, I did not know about anything.

17 Q. You don't know about any of the
18 work Dream On Me had started or completed at
19 that point?

20 A. No, they were doing their internal
21 due diligence about, you know, what can be
22 done and how. There was strategy conferences
23 that were going on, but I was not party to
24 these transactions or meetings.

25 Q. Do you know what sort of due

1 M. Gandhi

2 diligence Dream On Me was performing at that
3 time?

4 A. I think it was more strategic due
5 diligence.

6 Q. It was strategic; is that what you
7 said?

8 A. Yes.

9 Q. Would you say it was high level
10 conversations?

11 A. I believe so.

12 Q. And who do you know at Dream On Me
13 was working on the due diligence?

14 A. I don't know any specific people.
15 I only know that Mark and Avish were involved
16 into that process.

17 Q. You don't know anyone else other
18 than Mark and Avish?

19 A. I never used to ask those questions
20 because I was hardly talking about these
21 things.

22 Q. On June 12, what was your view
23 about Dream On Me's ability to prepare and
24 submit a bid for the bankruptcy auction?

25 A. I did not know any requirement or

1 M. Gandhi

2 prerequisites for submitting a bid.

3 Q. And, in your opinion, did you feel
4 that Dream On Me had performed adequate work
5 to that point to submit a bid?

6 A. I don't know that.

7 Q. Did you discuss at this June 12
8 meeting whether Dream On Me was considering
9 submitting a bid without Go Global?

10 A. I doubt that there was a
11 conversation about that at that point.

12 Q. Why do you say that?

13 A. Because we talked more about how
14 the parties were talking to each other, how
15 they can compliment each other and what are
16 their strengths and, you know, experience in
17 the business.

18 I don't know whether there was any
19 specific conversation about a bid.

20 Q. Well, the piece that I'm interested
21 is actually is whether someone from Dream On
22 Me or yourself communicated to Go Global that
23 Dream On Me would bid without Go Global?

24 A. I don't recall that.

25 Q. You don't recall telling Kathleen

1 M. Gandhi

2 that Dream On Me was not considering a solo
3 bid?

4 A. I don't remember that. If there
5 was some communication that I had to do it, I
6 might have done it, but I specifically --
7 because, as I said, I was just communicating
8 the messages both ways.

9 Q. I want to turn back to this email.
10 The second paragraph you write, "Investment
11 opportunity. This is a once in a lifetime
12 opportunity to be one of the owners of such
13 an iconic retail brand." Do you see that
14 sentence?

15 A. Yes.

16 Q. I want to focus in on the phrasing
17 you used "once in a lifetime opportunity."
18 Why did you think this?

19 A. Because there are only two brands
20 buybuy BABY and Babies "R" Us that are
21 specific for the baby categories and Babies
22 "R" Us had been acquired by another company
23 so this was the only brand left in U.S.

24 Q. You wrote that it's an iconic
25 retail brand, is that right?

1 M. Gandhi

2 A. Yes, because everybody talks about
3 buybuy BABY in those days.

4 Q. In the next sentence you say,
5 "There is no one like BBY and B and M and
6 there will not be one for a long time." What
7 is B and M?

8 A. Bricks and mortars. Bricks and
9 mortars. Nobody, no retailer in the buybuy
10 BABY category had the retail stores. There
11 are only two as far as I knew, one was Babies
12 "R" Us and one was buybuy BABY.

13 Q. Would you agree that I'm
14 summarizing here, you're expressing this is a
15 great opportunity for Dream On Me to pursue?

16 A. It's -- I told them not with any
17 retail experience I had, I was simply saying
18 such names are rare to get from my personal
19 opinion, nothing to do with any knowledge or
20 any experience I had.

21 Q. Going down a little bit further,
22 the last full paragraph before the page
23 break, you write, "Our position, DOM needs to
24 have strong caveats for investment. As I
25 said, controlling our category of supply

1 M. Gandhi

2 chain for next year, one year will get us
3 returns more than our investment." Do you
4 see that sentence?

5 A. Yes.

6 Q. What do you mean by strong caveats
7 for investment?

8 A. Meaning the roles, responsibilities
9 and rewards all be lined up properly before
10 you seek any investment.

11 Q. And what does that mean
12 specifically with regard to this kind of
13 investment?

14 A. If you are getting an investment
15 from another party, you should know what the
16 role and the rewards of the other party is
17 getting for the investment.

18 My point to them was that make it very
19 clear about the role that each one is going
20 to play. We're five people. Then all five
21 should have a clear role and responsibility
22 identified.

23 Q. Did you think there was a potential
24 good reward if Dream On Me was successful in
25 this bid?

1 M. Gandhi

2 A. Nobody does an acquisition without
3 having that thought in mind, right. If
4 somebody's looking to buy something, they're
5 looking for a good return on their
6 investment.

7 Q. At the very bottom of the email you
8 write, "If we do not participate, there is a
9 risk that one of our competitors may join and
10 we lose." Do you see at that sentence?

11 A. Yes.

12 Q. What do you mean by this?

13 A. If you do not engage into this bid,
14 there are tons of others wholesalers, one of
15 them may go and get the bid. And then you
16 will lose selling to buybuy BABY then because
17 the company will not allow you to sell to
18 your competition.

19 Q. Did you advise Dream On Me that
20 they should participate in this auction?

21 A. My advice is more of relevance of
22 what they had to do. My advice was a bit on
23 the general understanding of the business, if
24 you want to participate because you feel
25 strongly about your furniture experience and

1 M. Gandhi

2 supply chain with the buybuy BABY that you
3 were doing in the past years, then you should
4 participate.

5 Not my place to advise them
6 strategically what they should do. It's
7 their decision.

8 Q. It was their decision, but you were
9 a consultant for Dream On Me, is that
10 correct?

11 A. Yes, but I was consulting only for
12 the accounting side of it. I was only
13 helping them to, you know, clear some mindset
14 so they understand how people look at it.

15 Q. Was it your role as a consultant,
16 did you advise Dream On Me about their
17 participation in this auction?

18 A. I did. I did. Because I thought
19 that -- I would help to do something better
20 in the business side of it.

21 Q. And your advice was that if you
22 don't participate, there is a risk that one
23 of our competitors may join and Dream On Me
24 loses, is that right?

25 A. Yes. So somebody had to buy it.

1 M. Gandhi

2 If Dream On Me doesn't buy, then a hundred
3 other Dream On Me kind of companies, one of
4 them will buy that.

5 Q. Did you talk to Mark about this
6 email that you wrote?

7 A. No, I wrote this email.

8 Q. I'm saying did you speak to Mark
9 about it?

10 A. I don't recall any specific
11 conversation about this.

12 Q. Did you speak to anyone at Dream On
13 Me about the contents of this email?

14 A. No, I don't think so.

15 Q. Did you speak to anyone at Dream On
16 Me about whether Dream On Me was going to
17 participate in the auction?

18 A. They're only two people that I was
19 talking to, Mark and Avish. I don't
20 recollect that anyone else was in the
21 conversation.

22 Q. Do you know if anyone else at Dream
23 On Me was working on this project?

24 A. I don't know because I was not
25 aware of that.

1 M. Gandhi

2 Q. So you're only aware of Mark and
3 Avish working on it, is that right?

4 A. Yes.

5 Q. No one else?

6 A. No.

7 Q. At the very top you write, "Also,
8 if we participate, we need a team of a few
9 people getting involved in daily activities
10 of Newco and monitor progress constantly."
11 Do you see that sentence?

12 A. Yes.

13 Q. Why did you write this?

14 A. Because Dream On Me is a
15 wholesaler. If you want to go and buy a
16 retailer, you need to have a management team
17 that can work with you to check each and
18 every step and progress that they are making.
19 Because philosophical advice -- you need
20 philosophical advice.

21 Q. Do you know whether Dream On Me at
22 that point had the capability or team to do
23 this kind of monitoring?

24 A. I did not review it from that
25 perspective because it is for them to decide

1 M. Gandhi

2 because there are a lot of other people in
3 the company.

4 Q. I will direct your attention to the
5 paragraph that begins with summary, "Summary.
6 This is a relativity high risk direct
7 opportunity as reputation is eroding everyday
8 and for buyers insufficient time available to
9 make decision. All will shoot in the dark
10 for a few issues and all will assume certain
11 risks and cover the down risk through daily
12 involvement in the Newco. Technology,
13 funding, supply chain, human capital
14 functions, they are all have inherent risks
15 and we can be going into uncharted terrain,
16 but in new management work collectively as a
17 team and collaborate nicely, BBBY can again
18 be go to place for U.S. consumers." Do you
19 see that paragraph?

20 A. Yes.

21 Q. You start off by saying this is a
22 relativity high risk driven opportunity. Do
23 you see that?

24 A. Yes.

25 Q. What makes you say that?

1 M. Gandhi

2 A. Because of the following lines.

3 Q. Sorry, the what?

4 A. Because of the following lines that
5 I return, advice of a high risk. There was
6 no time for due diligence. They did not
7 have -- actually know what was happening
8 there. I believe that Oracle was asking for
9 millions of dollars to disintegrate the
10 operations so there were a lot of unknowns in
11 that specific transaction that nobody knew
12 about it.

13 Q. That was the case for everyone who
14 was participating in this bid, correct?

15 A. Of course.

16 Q. Are you aware of a data room that
17 was set up?

18 A. Can you repeat the question.

19 Q. Are you aware of a data room that
20 Lazard set up for this bankruptcy auction?

21 A. Yes.

22 Q. At this time, and you sent this
23 email on June 13, had you gone into the
24 Lazard data room?

25 A. I said it earlier, no.

1 M. Gandhi

2 Q. Let me clarify because I did ask
3 you a question about a data room but I asked
4 you about the Go Global data room. I want to
5 make sure we're clear. I'm talking about two
6 different data rooms.

7 A. Yes. No.

8 Q. You didn't go into the Lazard data
9 room?

10 A. No.

11 Q. Do you know if anyone at this point
12 from Dream On Me had gone into the Lazard
13 data room?

14 A. I'm sure they would have done
15 something. I don't know. I can't speak for
16 others.

17 (Whereupon, at this time, an
18 exhibit was displayed via Zoom.)

19 (Whereupon, at this time, a
20 document was marked as Plaintiff's
21 Exhibit 5, as of this date.)

22 Q. I'm showing you another email and I
23 will mark this as Exhibit 5. This is an
24 email sent on June 14. You sent it to Mark
25 Srour and also his son Jack and Avish Dahiya

1 M. Gandhi

2 and it's Bates stamped DOM2783 on the first
3 page. Do you recognize this document?

4 A. Yes.

5 Q. I want go through the agenda items
6 that you wrote here.

7 First item that you list is total
8 investment proposed and details of each
9 investor with percent ownership and amount.
10 Do you see that?

11 A. Yes.

12 Q. Let me back up. What is this an
13 agenda for?

14 A. I don't know whether this was
15 before we met Go Global or after we met Go
16 Global.

17 Q. I can represent to you that you met
18 Go Global on June 12 and that you had a
19 second meeting on June 15. This is the day
20 before the June 15 meeting. Is this an
21 agenda for that meeting?

22 A. This is what I suggested to them,
23 that if you are preparing an agenda you
24 should put all these points for you to be
25 clear about everything.

1 M. Gandhi

2 Q. Was this created specifically for
3 the Go Global June 15 meeting?

4 A. I believe so because the meeting
5 was on the 15th. They had to clear all these
6 things so they are -- they know each other
7 very well. That what will be the rights and
8 obligations of each party if they work
9 together.

10 Q. So this information request that
11 you list here, this is information you would
12 want to get from Go Global?

13 A. Not necessarily.

14 Q. But in this case, yes, right?

15 A. To clear their own list of what
16 they have and what they need from other
17 parties.

18 Q. Sorry, say that again.

19 A. They would have many of these
20 things with them and if they don't have it,
21 then they would include it in their own
22 proposal or their own agenda.

23 Q. When you say they, who are you
24 referring?

25 A. Mark and Avish.

1 M. Gandhi

2 Q. Did you prepare this for the Go
3 Global June 15 meeting?

4 A. I don't remember, but if the
5 meeting was after this, it may be for them.

6 Q. The first item says total
7 investment proposed and details of each
8 investor with percent ownership and
9 assessment. Do you see that?

10 A. Yes.

11 Q. Why do you want to know this
12 information?

13 A. I don't need to know any of this
14 information. They should know if there are
15 more than one company planning to buy, then
16 they should know how much each one is going
17 to bring in, how much is their participation
18 and what would be their role.

19 Q. The second piece is details -- let
20 me back up. Why would this information be
21 useful to Dream On Me?

22 When I say this information, I'm just
23 referring to that first point about total
24 investment and everything listed there.

25 A. If you looking for an investment,

1 M. Gandhi

2 wouldn't you like to know what and how much
3 somebody's proposing and how much say they
4 will get in the ownership of the company once
5 they do?

6 Q. Do you know whether Dream On Me
7 asked Go Global for this information?

8 A. I don't know that.

9 Q. Do you know whether Dream On Me had
10 started its own financial analysis as of the
11 date of this email with regard to the
12 bankruptcy auction?

13 A. There was some data room
14 information that they had received from
15 Lazard that they were checking.

16 Q. Do you know if Dream On Me had an
17 idea of the total investment that they would
18 need for this bid?

19 A. I don't know that.

20 Q. The second point is details of
21 assets and amounts under the deal. Do you
22 see that?

23 A. Yes.

24 Q. Why are you telling Dream On Me
25 that they should ascertain this information

1 M. Gandhi

2 from Go Global?

3 A. This is not for Go Global. This is
4 for if you're buying a company you should
5 know what you are paying for. So if you are
6 getting the IP, if you are getting some
7 equipment, if you are getting some furniture,
8 they should know what they're going to buy
9 and with what money.

10 Q. Do you know whether Go Global
11 provided this information to Dream On Me?

12 A. I don't know about that.

13 Q. Item number five, budgeted
14 financial review and underlying assumptions.
15 Do you see that?

16 A. Yes.

17 Q. Why are you telling Dream On Me to
18 ascertain this kind of information?

19 A. If you are planning to buy a
20 company you would like to know what is going
21 to be the next five, ten years looking like
22 and this is what Lazard had already done,
23 that exercise. So it was for them to review
24 it internally that, you know, this is going
25 to help them.

1 M. Gandhi

2 Q. Do you know whether as of this date
3 Dream On Me had internally reviewed that
4 information from Lazard?

5 A. There was some data I acquired. I
6 don't know whether they already done a total
7 analysis of that, but yes, they had the
8 access so they had done some data digging.

9 Q. Scrolling down, this is within the
10 email chain at the bottom of the same page,
11 you're writing about caveats and you list
12 three of them.

13 A. Yes.

14 Q. Let me first ask, do you recognize
15 this portion of this email?

16 A. Yes.

17 Q. The first caveat category, sourcing
18 as exclusivity including consolidation in
19 Asia, price negotiations and storage points.
20 Do you see that?

21 A. Yes.

22 Q. Why are you advising DOM about this
23 particular caveat?

24 A. Because it is important if you are
25 the source of all the furniture and, as you

1 M. Gandhi

2 can imagine, the freight rate from China to
3 U.S., buybuy BABY had suffered huge losses
4 because their containers were coming half
5 full because it was not properly consolidated
6 at the origin.

7 So I told them to make sure that, you
8 know, they do that properly so that when
9 you're paying five, seven, in those days
10 rates had gone to \$20,000 if you remember, so
11 I told them, you are going to be very sorry
12 if you don't plan your consolidation properly
13 in this year. So you can get the maximum
14 product in storage covered in 20 feet or
15 40 feet containers, because the products are
16 big and there are not very many that you get
17 in one container, if you bring your container
18 in half or not properly filled in, then your
19 cost goes up exponentially.

20 Q. Did you communicate this caveat to
21 Go Global?

22 A. I did not communicate to them.

23 Q. Do you know whether someone at
24 Dream On Me communicated this to Go Global?

25 A. I don't know about it.

1 M. Gandhi

2 Q. The second point is same
3 administrative, financial and legal rights as
4 Go Global. Do you see that?

5 A. Yes.

6 Q. Just to go back up, the first
7 email, I believe, you previously testified
8 that this was just -- this was something that
9 wasn't specific to Go Global, but the second
10 point down here says same legal rights as to
11 Go Global.

12 Does this refresh your recollection that
13 the agenda you wrote with seven points up
14 here was specifically with regard to Go
15 Global?

16 A. No, that's what I said. The
17 meeting was on the 15th, then I would have
18 done this for that meeting.

19 Q. Okay. I misunderstood. I wanted
20 to clarify. Thank you.

21 For this second point, again this says
22 same administrative, financial and legal
23 rights as Go Global. Why are you telling
24 Dream On Me about this particular caveat?

25 A. If you are entering as a partner of

1 M. Gandhi

2 any company and there are two or three or
3 four partners, you should all be on the same
4 footing if you've done the same kind of
5 investment.

6 Q. Do you know if you communicated
7 this to Go Global?

8 A. It was not my role to communicate
9 to them directly. That's what I was
10 communicating to the team.

11 Q. Do you know if someone at Dream On
12 Me communicated this to Go Global? You did
13 not communicate this to them on the June 12
14 meeting, is that right?

15 A. I don't remember that right now.

16 Q. And also same question but for the
17 Zoom meeting you had on June 10, did you
18 communicate this caveat or information to the
19 Go Global people?

20 A. The June 10 meeting was only
21 introducing each other.

22 Q. I understand, but I want to know if
23 this came up in the conversation.

24 A. I don't think so. If you're asking
25 me what happened 18 months back, I probably

1 M. Gandhi

2 don't remember exact conversations then, but
3 logically it would not have happened at that
4 point.

5 Q. The third point is support team
6 from DOM to be involved in all functions,
7 business strategy, merchandising, sourcing,
8 finance, technology and so on.

9 I think you know the pattern here, why
10 are you advising DOM about this caveat?

11 A. Same thing like point two. Point
12 two, we should have the same rights and
13 things to be managing and what is going to be
14 the team from DOM that should be preparing
15 for this afterwards.

16 Q. Do you know if you communicated
17 this caveat to Go Global?

18 A. I don't remember that.

19 Q. Do you know if anyone from Dream On
20 Me communicated this caveat to Go Global?

21 A. I don't recall that, but obviously
22 there was a meeting and they discussed this
23 briefly, you know, what would be our role,
24 each company.

25 Q. Is that at the 15th meeting or

1 M. Gandhi

2 another meeting?

3 A. I don't remember -- that was the
4 meeting that was held in the office, that's
5 the meeting I'm talking about.

6 (Whereupon, at this time, an
7 exhibit was displayed via Zoom.)

8 (Whereupon, at this time, a
9 document was marked as Plaintiff's
10 Exhibit 6, as of this date.)

11 Q. I'm sharing another document with
12 you. This will be Exhibit 6. This is an
13 email sent from Avish to you, Milan, as well
14 as to Mark. The subject is Go Global BBB
15 document link. It is dated June 14. It
16 bears Bates number DOM2800. Do you recognize
17 this document, Milan?

18 A. Yes, that may be an email -- if it
19 was an email -- that should be an email.

20 Q. Do you know why Avish sent this
21 email?

22 A. I don't know.

23 Q. This email attaches a document
24 labeled 1.6.1 GG baby LRP model version 9.
25 Do you see that?

1 M. Gandhi

2 A. Yes.

3 Q. Do you need to --

4 A. I can open it. I can see it clear.

5 Yes, I read that.

6 Q. Did you open that document?

7 A. No.

8 Q. The contents of this email is just
9 a Dropbox link. Do you see that?

10 A. Yes.

11 Q. Dropbox link. Sorry.

12 A. Yes.

13 Q. Do you know how Dream On Me shares
14 and stores documents and information?

15 A. I don't know that. That should be
16 a tech question, not for me.

17 Q. Do you know if they use Dropbox?

18 A. I don't remember. I never had to
19 use it so I don't know.

20 Q. You've never opened up a Dropbox
21 link for Dream On Me?

22 A. No.

23 Q. No.

24 (Whereupon, at this time, an
25 exhibit was displayed via Zoom.)

1 M. Gandhi

2 (Whereupon, at this time, a
3 document was marked as Plaintiff's
4 Exhibit 7, as of this date.)

5 Q. I'm now sharing another document
6 with you. This will be Exhibit 7. This is
7 an email from Avish. It is dated Monday
8 June 19. It is sent to Jacob Sod, Scott
9 Englander, Milan Gandhi and Mark Srouer.
10 Subject, buybuy BABY. And the document bears
11 Bates number DOM 10868. Do you recognize
12 this document, Milan?

13 A. I see it.

14 Q. Do you recall it though is what I'm
15 asking.

16 A. No, I don't recall this, but I see
17 it and I remember that.

18 Q. Do you see that this email was sent
19 to Jacob Sod?

20 A. Yes.

21 Q. Do you know who Jacob Sod is?

22 A. I don't know him personally. I met
23 him, but I don't know who he is.

24 Q. You met him?

25 A. Yes.

1 M. Gandhi

2 Q. When did you meet him?

3 A. I don't recall the date, but I did
4 meet him and Scott.

5 Q. Do you know if you met him in
6 relation to the bankruptcy auction that is
7 subject of this lawsuit?

8 A. No, that was about the same auction
9 that they were exploring if they wanted to
10 participate.

11 Q. When you met Jacob, you discussed
12 whether he would participate in the auction
13 for buybuy BABY's assets?

14 A. I didn't discuss anything with him.
15 It was Mark and Avish who were discussing.

16 Q. Were you present for that
17 conversation?

18 A. Yes.

19 Q. What did they discuss?

20 A. They discussed about the
21 opportunity and what they have been doing for
22 the last ten years supplying to this company.

23 Q. When you say they, are you
24 referring to Dream On Me?

25 A. Dream On Me, yes.

1 M. Gandhi

2 Q. And what did Jacob Sod say in
3 response to that?

4 A. Now I don't know what exactly he
5 said. He was initially interested in
6 exploring it further, whether he would like
7 to get into this auction or not, I think.

8 They were on the dining table in a busy
9 restaurant so I don't remember having heard
10 everything that they were talking.

11 Q. Is it fair to say that Jacob Sod
12 was interested in this opportunity?

13 A. He was listening to this. I don't
14 know whether he was actually going for it or
15 not, but he was listening to it.

16 Q. Did Jacob Sod have any questions at
17 that meeting?

18 A. They were talking to each other and
19 I was sitting on the other side so I don't
20 remember what questioning they were doing to
21 each other.

22 Q. Do you know if they discussed any
23 documents at that meeting?

24 A. I don't recall anything because I
25 did not hear much.

1 M. Gandhi

2 Q. Were you not in the same booth as
3 them?

4 A. It was a big table in a busy
5 restaurant. I was sitting on one side and
6 they were sitting on the other side because I
7 am a vegetarian and they are not so I had to
8 keep myself away from them.

9 Q. What else do you remember at this
10 meeting?

11 A. It was a good meeting, that they
12 were talking and I think it was just talking.

13 Q. Was Scott Englander at this
14 meeting?

15 A. Yes.

16 Q. Do you recall what Scott Englander
17 said at this meeting?

18 A. They were all on one side and I was
19 on the other side of it so I didn't hear many
20 of the things they were talking about. And I
21 didn't speak the same language. Sometimes
22 they would have spoken the language that I
23 didn't understand also, possible.

24 Q. They were speaking in a different
25 language?

1 M. Gandhi

2 A. They would have spoken in English,
3 but since I was sitting away I would not have
4 heard them properly when they were talking.

5 Q. Okay. Sorry, I misunderstood. I
6 realize this person's name isn't on this
7 email, do you know who Joseph Friedland is?

8 A. I believe that he's one of the
9 investors if I remember correctly.

10 Q. Do you know if Jacob Sod is an
11 investor?

12 A. No, I don't know.

13 Q. What about Scott Englander?

14 A. I think he is a property manager if
15 I remember correctly.

16 Q. What I want to know, is Scott
17 Englander an investor in the new company that
18 Dream On Me set up to -- when it purchased
19 the bankruptcy assets?

20 A. I doubt -- I'm not sure, but I
21 doubt because he was only a manager of the
22 property.

23 Q. Just circling back to Joseph
24 Friedland, did Joseph Friedland attend this
25 meeting that you and Mark had with Scott

1 M. Gandhi

2 Englander and Jacob Sod?

3 A. No.

4 Q. Do you know when that meeting
5 occurred?

6 A. I don't remember the date, but it
7 should be around the same time.

8 Q. The same time as this email?

9 A. No. No, around when the activities
10 were happening.

11 Q. Are you able to approximate it for
12 me?

13 A. It should have been prior to the
14 auction.

15 Q. Do you know if it happened after
16 June 15?

17 A. What was the auction date?

18 Q. There were -- actually that's a
19 difficult question because there were
20 multiple dates?

21 A. There was so many moving targets in
22 those days. Nobody exactly knew what was
23 going on. Every hour there was some rumors
24 about the company in the market. People were
25 talking different things. Nobody knew

1 M. Gandhi

2 anything.

3 Q. Do you know whether that meeting
4 happened after Dream On Me had its in-person
5 meeting with Go Global?

6 A. I remember it was prior to the
7 final auction. I don't know whether it was
8 before or after this meeting or not. That I
9 don't know.

10 Q. So in this email Avish is sending a
11 link to the data room. Do you see that?

12 A. Yes.

13 Q. And at the bottom there's a Dropbox
14 link. Do you see that?

15 A. Yes.

16 Q. Do you know why Avish sent this
17 email?

18 A. I have no idea. They must have
19 been having some conversation and I was not
20 party to any such conversations.

21 Q. You're on this email?

22 A. Yes. There were thousands of
23 emails that are coming and going everyday. I
24 don't read most of the emails because it
25 doesn't concern me.

1 M. Gandhi

2 Q. Did you click on the Dropbox --

3 A. No.

4 Q. -- link in this email?

5 A. No.

6 Q. You have no idea what was in there?

7 A. No.

8 MR. BERLOWITZ: I think I'm moving
9 pretty quickly here. I don't think this
10 is going to -- I'll see what happens. I
11 don't think it's going to go that much
12 longer. Do you want to take a five
13 minute break?

14 MR. MURPHY: Yes.

15 (Whereupon, at this time, there was
16 a pause in the proceeding.)

17 (Whereupon, at this time, an
18 exhibit was displayed via Zoom.)

19 Q. I want to double back to a document
20 I have shown you previously. This is exhibit
21 2. I want to scroll to the second page.

22 There's an email down here from Christian
23 Tempke. Do you know who Christian Tempke is?

24 A. He is from Lazard, right?

25 Q. Do you remember having

1 M. Gandhi

2 conversations with him about the buybuy BABY
3 bankruptcy auction?

4 A. Yes. As I said, I was facilitating
5 the calls between them and Dream On Me and
6 sometime sending the messages for them also.

7 Q. What were the nature of your
8 conversations with Christian Tempke?

9 A. I would have outlined some
10 processes to how it is going to happen,
11 what -- he would have outlined the process,
12 how the client should look at it and how this
13 would proceed if they are interested.

14 Q. Do you remember anything that you
15 said to Mr. Tempke?

16 A. No. I was talking on behalf of
17 Dream On Me so I would have told him -- I
18 would relayed the message and talked to them,
19 that is what you are suggesting.

20 Q. Did you ever relay a message to
21 Mr. Tempke on behalf of Dream On Me?

22 A. Difficult question to answer. I
23 don't know. There was so many phone calls in
24 those five or seven days. I would have said
25 something to both parties based on whatever

1 M. Gandhi

2 they were talking to me.

3 Q. What would you have said?

4 A. Only about this transaction, yes,
5 they will be coming to the auction, what time
6 the auction would be, what they're supposed
7 to be doing, how they should be coming up
8 into the auction, everything.

9 Q. In this email Mr. Tempke writes,
10 "Christian, per our conversation I wanted to
11 connect you to Milan who is advising Dream On
12 Me. Milan will add his client. I would
13 encourage you to speak directly about a
14 potential baby going concern transaction and
15 see whether a partnership makes sense." Do
16 you see that?

17 A. Yes.

18 Q. Do you know who the Christian that
19 Mr. Tempke is referring to in this email is?

20 A. That's a Go Global person.

21 Q. Is that Christian Feuer?

22 A. I think that's the only Christian I
23 know. Isn't this -- yes, it is right on top.
24 It says they're going to connect me and he is
25 connecting me.

1 M. Gandhi

2 Q. Okay. At the end of the
3 penultimate sentence, see whether a
4 partnership makes sense, do you see that?

5 A. Yes.

6 Q. Do you know why Mr. Tempke made
7 this suggestion?

8 A. No, I don't know that, why he made
9 that suggestion to them and Dream On Me.
10 Maybe because he might have seem some sort of
11 synergy.

12 Q. Did you ask him why he made this
13 suggestion?

14 A. I'm just asking myself that. Isn't
15 it in the interest of Lazard that they find a
16 buyer so they can get paid properly, I
17 believe?

18 Q. I'm asking whether you asked
19 Mr. Tempke about this.

20 A. No, I did not.

21 (Whereupon, at this time, an
22 exhibit was displayed via Zoom.)

23 (Whereupon, at this time, a
24 document was marked as Plaintiff's
25 Exhibit 8, as of this date.)

1 M. Gandhi

2 Q. I'm sharing another document with
3 you. I believe this is Exhibit 8. I will
4 mark it as Exhibit 8.

5 This is an email from Christian Tempke
6 dated June 17 and it is sent to Milan. And
7 it bears Bates number DOM 2920. Do you
8 recognize this document?

9 A. I'm seeing it now, so yes.

10 Q. Actually I will show you a slightly
11 different document, but it's the same email
12 chain but with more content. One moment.

13 (Whereupon, at this time, there was
14 a pause in the proceeding.)

15 (Whereupon, at this time, an
16 exhibit was displayed via Zoom.)

17 (Whereupon, at this time, a
18 document was marked as Plaintiff's
19 Exhibit 9, as of this date.)

20 Q. We're marking this Exhibit 9. I
21 will go back between these two a little bit.
22 I want to make sure you have the full picture
23 here. Do you recognize this document?

24 A. Yes, I read this now.

25 Q. Christian Tempke is writing, "I

1 M. Gandhi

2 think, but I continue to think that you will
3 need to cut a deal with Go Global to preserve
4 a going concern of the business." Do you see
5 that?

6 A. Yes.

7 Q. Do you know why Christian wrote
8 that?

9 A. They must have seen the kind of
10 synergy because they are the people who know
11 how to operate. They would have seen that
12 Mark is somebody that can supply the
13 furniture properly, but he must be encouraged
14 by that conversation and the meeting.

15 Q. Did you have a conversation with
16 Mr. Tempke about this?

17 A. Yes, I did speak to him and he
18 explained to me why it would be better for
19 both the parties.

20 Q. What else did he tell you about --

21 A. I don't recall anything more, but
22 the essence that I should go back and talk to
23 Dream On Me and tell them that if they want
24 to make a deal, they can talk to Go Global.

25 Q. Did you do that?

1 M. Gandhi

2 A. I informed them.

3 Q. Who did you inform?

4 A. Mark.

5 Q. And how did you inform Mark?

6 A. I told him that we had the
7 conversation and he was encouraged by the
8 meeting, but since you both were not agreeing
9 to the terms, he's still saying there is a
10 chance that it can work out better.

11 Q. This was an in-person conversation
12 you had with Mark?

13 A. Maybe on the phone.

14 Q. Okay. Did he say anything else?

15 A. No. I keep repeating myself that I
16 am a facilitator, so I kept talking to so
17 many things to so many people in those seven
18 or ten days. I don't even remember most of
19 those things now.

20 Q. Is that because that was a long
21 time ago?

22 A. Both long time ago as well as, you
23 know, I had my other assignments. I was
24 working on my own things also, right.

25 Q. You were working on other

1 M. Gandhi

2 projects --

3 A. Yes.

4 Q. -- while you were working on this
5 project for Dream On Me?

6 A. Right.

7 Q. Was this a particularly difficult
8 project for Dream On Me?

9 A. I don't know about that past
10 history so I can't comment on that.

11 Q. What about your own experience
12 working on this project, was it difficult?

13 A. I think the size was humungous. If
14 it was difficult or not I don't know, but it
15 was humungous because they were more than a
16 billion dollar company at some point so it
17 was a lot of discipline if you want to do
18 something.

19 Q. Do you know if you were working
20 long hours on this project at the time?

21 A. No.

22 Q. You weren't working long hours?

23 A. Not at all.

24 Q. Do you know if other people at
25 Dream On Me were?

1 M. Gandhi

2 A. I don't know about them.

3 (Whereupon, at this time, an
4 exhibit was displayed via Zoom.)

5 Q. I'm going back to a different
6 version of this email. I'm, for the record,
7 I'm on document bearing Bates number DOM
8 2920. And I'm looking at the email portion
9 of this chain, Milan, where you send an email
10 and you write, "Hi Christian. Just want to
11 know if anyone submitted bid." Do you see
12 that portion?

13 A. Yes.

14 Q. Do you know who else was submitting
15 a bid at this point?

16 A. No.

17 Q. Do you know who was -- did you have
18 an idea of your potential competitors at this
19 point in the auction?

20 A. No, we knew the competition when we
21 went to the bidding, but before that, I don't
22 know who were the parties.

23 Q. Did you have an idea --

24 A. No.

25 Q. -- about people, about entities

1 M. Gandhi

2 that might be bidding?

3 A. I did not know.

4 Q. What about Go Global?

5 A. Go Global only came into the
6 picture on those specific dates, but after
7 that I don't know about it.

8 Q. Do you know whether you would have
9 considered them a potential competitor in the
10 bidding process?

11 A. I don't know whether they were
12 participating or not.

13 Q. I understand that you don't know.
14 What I'm asking is, would you have, at that
15 time, considered them a potential bidder?

16 A. Yeah, if they were interested, they
17 would have also considered how to go about
18 it. So they could have been a potential
19 bidder at that point.

20 Q. Do you know whether there were
21 other entities who were considering competing
22 or submitting a bid?

23 A. No.

24 Q. You don't know any other company?

25 A. No.

1 M. Gandhi

2 Q. Do you know if you spoke about
3 other potential bidders with people from
4 Dream On Me?

5 A. I told them that any company that
6 is in the same line of business could
7 potentially become a bidder. And it could be
8 a retailer themselves or it could be
9 wholesalers like them. Everybody would be
10 interested because it's an iconic name.

11 (Whereupon, at this time, an
12 exhibit was displayed via Zoom.)

13 (Whereupon, at this time, a
14 document was marked as Plaintiff's
15 Exhibit 10, as of this date.)

16 Q. I'm sharing this another document.
17 We will mark this as Exhibit 10. This is an
18 email from Brendan Shay to Mark Srouer,
19 Avish Dahiya And Milan Gandhi. Christian
20 Tempke is cc'd. It's Bates stamped DOM
21 11301.

22 Milan, do you recognize this document?

23 A. Yes.

24 Q. And do you know who Brendan Shay
25 is?

1 M. Gandhi

2 A. He works at Lazard. I think he is
3 an associate or something over there.

4 Q. He writes, "I had a good
5 conversation with Milan last night regarding
6 next steps for the baby sale process." The
7 sentence goes on. Do you see that sentence?

8 A. Yes.

9 Q. What did you discuss with Brendan?

10 A. I asked him about what specific
11 steps are required to submit a bid.

12 Q. At that point you didn't know what
13 specific steps were required?

14 A. No. Nobody knew it. Because there
15 were no announcements about what we need to
16 do or anybody needs to do for that.

17 Q. At Dream On Me, in relation to this
18 bankruptcy auction, were you in charge of
19 putting together the logistics of how this
20 bid would be submitted?

21 A. No.

22 Q. Who was?

23 A. I don't know. It could be Avish or
24 Mark or someone else that they would have
25 appointed.

1 M. Gandhi

2 Q. If you weren't in charge of that,
3 why were you having this conversation with
4 Brendan Shay?

5 A. Because Brendan recognized that I
6 can communicate better with these people so
7 he called me and then I communicated to them.
8 Listen, this is what they are confused about
9 as to what they need to do if they want to
10 qualify for the bid and that is what he told
11 me, because there are steps that need to be
12 taken. I was communicating between both the
13 parties.

14 Q. And at this point in time on
15 June 22, do you know whether Dream On Me knew
16 how to submit a bid?

17 A. After this email they would have
18 known it, right?

19 Q. I'm asking if they knew before this
20 email.

21 A. No.

22 Q. They didn't know?

23 A. I don't think so because there was
24 no official exchange of information before
25 this date.

1 M. Gandhi

2 Q. The next paragraph begins with the
3 sentence, "The formal deadline to receive
4 your completed bid package so you could
5 participate in the auction was last Friday,
6 June 16." Do you see that sentence?

7 A. Yes.

8 Q. This email is dated June 22, is
9 that correct?

10 A. Right.

11 Q. Dream On Me missed that June 16
12 deadline?

13 A. From this email it looks like they
14 did not put anything there.

15 Q. Do you know why Dream On Me missed
16 the deadline?

17 A. I don't know that.

18 (Whereupon, at this time, an
19 exhibit was displayed via Zoom.)

20 (Whereupon, at this time, a
21 document was marked as Plaintiff's
22 Exhibit 11, as of this date.)

23 Q. And this is another document that I
24 will mark as Exhibit 11. This is an email
25 from Avish Dahiya. It is sent to Milan as

1 M. Gandhi
2 well as Mark Srour. The subject is BBY cash
3 flow model. The first page is Bates stamped
4 DOM 11714. This is a somewhat dense and
5 lengthy email. I want you to read it and
6 then tell me when you're done reading it.

7 Also tell me when I can scroll down for
8 you.

9 A. Okay.

10 (Whereupon, at this time, the
11 attorney scrolled through the exhibit as
12 requested.)

13 A. Can you scroll it?

14 MR. BERLOWITZ: Of course.

15 (Whereupon, at this time, the
16 attorney scrolled through the exhibit as
17 requested.)

18 A. Okay, I read it.

19 Q. Do you recognize this email?

20 A. Yes, now I recollect this.

21 Q. In the first paragraph Avish
22 writes, "Hi Mark and Milan. Check the email
23 from Lazard. They are indirectly telling us
24 to do our own work. This also shows our
25 inability to do certain due diligence

1 M. Gandhi

2 internally. Every other bidder has done more
3 extensive work." Do you see that?

4 A. Yes.

5 Q. Do you agree that as of the date of
6 this email every other bidder had done more
7 extensive work?

8 A. I don't know because I never went
9 into it. I don't participate -- I don't know
10 because I did not go into the data room, but
11 based on what he has said below where there
12 is more information coming into the data
13 room, so I think he presumed that other
14 people asked for more information and that is
15 where he's seeing more data and he's saying
16 that we haven't done that kind of due
17 diligence.

18 Q. Do you know whether Dream On Me had
19 done that kind of due diligence at this
20 point?

21 A. I don't know that.

22 Q. Okay.

23 A. But he's clearly saying that other
24 people have done more so there was some done,
25 not done everything.

1 M. Gandhi

2 Q. Do you know what due diligence
3 Dream On Me had done up to this point?

4 A. No, I don't. As I said earlier,
5 strategy, due diligence was done by those
6 people. But besides they would have done
7 some understanding of the technology, the
8 numbers, the requirement of people.

9 Q. Did you speak with Avish about this
10 email at any point?

11 A. Not specifically about this, but,
12 in general, and if this is something similar
13 to what I had written in one of my emails
14 that, you know, you need a team to work on
15 such a project. You cannot be doing this by
16 your own people in your company. You need to
17 hire a due diligence firm who can do it on
18 your behalf.

19 Q. Did you speak with Avish about the
20 amount of work Dream On Me had performed up
21 to this point on June 23?

22 A. I did not ask specific questions,
23 but he said that, you know, they have done a
24 good amount of understanding where the
25 business stands today so I believe that based

1 M. Gandhi

2 on whatever he has done along with the other
3 people, he would have got some good idea
4 about the business moving forward.

5 Q. When did he tell you about that?

6 A. I don't remember the date, but it
7 was one of those conversations that I had
8 with him.

9 Q. Do you know if that was before or
10 after this email?

11 A. No, I don't remember that.

12 Q. Do you recall having conversations
13 with Avish about the contents of this email?

14 A. Not specifically about this
15 content, but it is similar to what I had said
16 earlier, you need exposure in all different
17 fields as part of a team who can then start
18 working on any project.

19 So he laid out this in detail for Mark
20 to know about these things. You need an
21 expert tech was one big ask because
22 everything was related to tech. You know,
23 the data, how to move the data, how to
24 disintegrate the entire function, where to
25 take it on a different level, who will manage

1 M. Gandhi

2 it, who will control it.

3 Q. The next paragraph says, "We have
4 to develop this ourselves based on what has
5 been already shared. Milan, can you help?
6 Can we even do this?" Do you see that?

7 A. Yes.

8 Q. Do you know what kind of help Avish
9 is asking you for here?

10 A. I think it was a mindset kind of
11 discussion where, you know, he wanted to
12 emphasize that you need a dedicated team to
13 work on all these things and he was just
14 saying that Milan, you should also tell Mark
15 that we need a dedicated team.

16 Q. Did Dream On Me have a dedicated
17 team to work on these issues?

18 A. I don't know about it. Avish was
19 definitely working very much on this. And he
20 must have taken help from other people.

21 Q. But you don't know if there was a
22 team at Dream On Me?

23 A. There was no assigned team that I
24 am aware of.

25 Q. He's asking can we even do this?

1 M. Gandhi

2 Do you see that part?

3 A. Yes.

4 Q. Did you talk to Avish about this?

5 A. No, as I said, there was no
6 specific conversation, but it was questioning
7 that if we had to do all this work, can we do
8 it or not.

9 Q. The next paragraph begins with,
10 "Lack of proper internal teams, professionals
11 to work on this project, we are all shooting
12 in the dark with no internal capabilities to
13 help." Do you see that?

14 A. Yes.

15 Q. Do you agree that Dream On Me had a
16 lack of proper internal teams and
17 professionals to work on this project?

18 A. He's saying it. I don't agree or
19 disagree with that.

20 Q. I understand that he's saying that,
21 I'm asking if you agree with that statement.

22 A. I don't know about it because if he
23 was working on it and if he did not get full
24 support from other people, he might have made
25 this statement that, you know, we don't have

1 M. Gandhi

2 proper professionals to work on this project.

3 Q. When you spoke to Avish, did Avish
4 express that was from a lack of internal
5 teams or professionals to work on this
6 project?

7 A. I think he expressed about the
8 timing concerns, very little time to do so
9 much.

10 Q. What else did he say about the
11 timing concerns?

12 A. Yeah, because there were deadlines
13 happening every week and he says Milan, every
14 week the numbers are changing. We don't know
15 which number to shoot for and by the time we
16 reached to one thing, something else happens.

17 So it was more worried about the timing.
18 Because it was not according to what he
19 wanted. He wanted, you know, proper three to
20 six months to properly analyze and evaluate
21 things.

22 Q. Would you agree that the timeline
23 was very compressed to work on this project?

24 A. Yes.

25 Q. Would you agree that there was a

1 M. Gandhi

2 lot of information to process in this
3 project?

4 A. Yes.

5 Q. Would you agree that Dream On Me
6 had not reviewed enough information as of
7 June 23?

8 A. I don't know. I don't know that.

9 Q. Did you review any information?

10 A. No.

11 Q. The bottom, I'll try and highlight
12 this for you, this sentence here, "We are
13 just going with BBB team data and did not do
14 any due diligence on data in the data room."
15 Do you see that sentence?

16 A. Yes.

17 Q. Do you know whether Dream On Me did
18 its own analysis of the data in the Lazard
19 data room as of the date of this email?

20 A. I don't know specifically, but
21 there were data I seen that were downloaded
22 from the Lazard data room that is what he's
23 referring to here. They were relying on the
24 data that Lazard or probably that other
25 financial form that had been prepared for all

1 M. Gandhi

2 potential bidders to look at.

3 Q. The next sentence reads, "A lot of
4 information is in the data room that we
5 should have looked at regarding HR, legal,
6 leases, stores, financial and budgets,
7 planning." Do you see that sentence?

8 A. Yes.

9 Q. Do you agree that there was a lot
10 of information concerning those categories
11 that Dream On Me did not look at?

12 A. I did not go into that data room,
13 but looking at what he is saying, there must
14 be a lot of information available there.

15 Q. Did you speak to Avish about this
16 particular concern that he had?

17 A. No. This is similar to what I said
18 earlier so I didn't have to speak with him.
19 I was generally telling them that you have
20 to -- need to have a dedicated team and he is
21 detailing what a dedicated teams means. This
22 is for Mark to review then anybody else.

23 Q. Understood. But today, to the best
24 of your knowledge, do you know whether Dream
25 On Me did look at the data room with regard

1 M. Gandhi

2 to HR, legal, lease, stores, financials --
3 financial and budgets and planning?

4 A. Except for the numbers, I don't
5 know anything else they had because I did not
6 see any data with me.

7 Q. What do you mean except for the
8 numbers?

9 A. The financial numbers. They were
10 doing \$1.4 billion and they had \$120 or
11 something.

12 Q. So you were looking at financial
13 numbers as part of your role in this deal?

14 A. No. No. No. He had mentioned
15 that when they were at their high they were
16 doing \$1.4 billion is sales.

17 Q. Avish told that to you?

18 A. Yes.

19 Q. You weren't looking at finance,
20 financial numbers in this, as part of this
21 project?

22 A. It wasn't my due diligence role to
23 look into any numbers. I was just advising
24 them what they should do and that is why in
25 the following paragraph it talks about

1 M. Gandhi

2 different kinds of people that should be
3 doing different roles.

4 Q. I understand that wasn't your role.
5 My question is, did you look at any documents
6 that were -- that had data, had financial
7 data in relation to that project?

8 A. There was one spread sheet I looked
9 at. I don't remember what specific spread
10 sheet was.

11 Q. Do you know where it came from?

12 A. No, I got it from Avish.

13 Q. Did he email it to you?

14 A. Not sure if I got the printout for
15 the email.

16 Q. Do you recall what the document
17 said?

18 A. It was about the -- historical
19 financial performance of buybuy BABY.

20 Q. It wasn't future looking, is that
21 accurate?

22 A. I think there was another one that
23 was showing if you continue with the 95
24 stores, then this will happen or something
25 like that. Because they had 120 stores and

1 M. Gandhi

2 by the time data was being stored, I think
3 they closed down, you know, some stores so
4 there was another conversation about 95
5 stores.

6 Q. The next paragraph reads, "Like Go
7 Global, which had a team of eight working on
8 BBB, we should have by now made a team of
9 experts who would have been looking at all
10 aspects of this business and have a plan of
11 execution during transition time." Do you
12 see that sentence?

13 A. Yes.

14 Q. Do you agree that Dream On Me did
15 not have a team of experts working on this
16 matter?

17 A. I don't know who were working on
18 it, but as I always say, you need to have a
19 dedicated team. You might have people that
20 might be doing their own job and also doing
21 this and not providing enough incite on the
22 reality. A dedicated teams always helps and
23 that's what I told them also.

24 Q. But you don't know whether Dream On
25 Me had a dedicated team, is that accurate?

1 M. Gandhi

2 A. Yes, I don't know if they had a
3 dedicated team other than Avish was spending
4 a lot of time on this.

5 Q. And your main communications was
6 with Avish and Mark, is that accurate?

7 A. Yes.

8 Q. The next paragraph starts with, "It
9 is so critical and urgent for us to have this
10 team in place who are fully focused on this
11 transaction. Our partners need information
12 and we needed to build the terms and
13 investment models/deal sheet that we could
14 have presented including NDA's. We have been
15 sharing information across all and exposing
16 ourselves in the process." Do you see that
17 paragraph?

18 A. Yes.

19 Q. Do you know whether as of the date
20 of this email, which is June 23, whether
21 Dream On Me had prepared a model or deal
22 sheet?

23 A. I don't recall having seen that.

24 Q. Do you know whether Dream On Me was
25 sharing information with other parties?

1 M. Gandhi

2 A. I don't know that.

3 Q. Did you speak with Avish about this
4 concerns?

5 A. No.

6 Q. Avish never told you he was
7 concerned about the fact that Dream On Me was
8 sharing information and exposing themselves
9 in the process?

10 A. I was not even meeting Avish. It
11 was more phone conversations all the time and
12 many times, as I said, I was not even reading
13 all these emails in detail because that was
14 not something I was supposed to be doing.

15 Q. The conversations that you had with
16 Avish on the phone, are you distinguishing
17 the conversation with the ones you had in
18 person?

19 A. There were conversations both
20 in-person and on the phone.

21 Q. Okay. I wanted to make sure that
22 when I say when you spoke with Milan, I'm
23 talking --

24 A. I'm Milan.

25 MR. MURPHY: Avish.

1 M. Gandhi

2 Q. When you spoke with Avish, I
3 apologize, when you spoke with Avish, when I
4 say when you spoke with Avish, I'm referring
5 to in-person conversations and I am referring
6 to a phone call, I'm referring to video
7 calls, do you understand that?

8 A. Yes.

9 Q. Do you know whether when you spoke
10 to Avish about what's in this email, whether
11 this was a phone call?

12 A. No, I don't remember it.

13 Q. You don't remember if it was in
14 person either or a video call?

15 A. As I told you, there were a number
16 of conversations. There was no specific
17 conversation about this specific
18 conversation, but concerns were laid out
19 that, you know, what other people are doing
20 and what we should be doing.

21 Q. Do you know who at Dream On Me
22 would have been responsible for developing a
23 financial model in relation to this
24 bankruptcy auction?

25 A. They had hired an outside person

1 M. Gandhi

2 and I don't remember him, but there was an
3 outside person that I was passing the data
4 to.

5 Q. Do you know who that person is?

6 A. I don't recollect the name, but it
7 was an outside person. I don't know what his
8 name was.

9 Q. Do you recall when you sent that
10 information?

11 A. No, I don't remember those things.

12 Q. Do you know if it was after you
13 were introduced to Go Global?

14 A. No, I don't know about those
15 specific timelines, but he was doing some
16 work developing their own model or something.

17 Q. But you don't recall who that was?

18 A. I don't remember the name. I know
19 the person, but I don't remember the name
20 right now.

21 Q. You know the person, but you don't
22 remember his name, is that what you're
23 saying?

24 A. Yes. Yes.

25 Q. It's just one person?

1 M. Gandhi

2 A. Yes, it was one person doing work.

3 Q. This was someone outside of Dream
4 On Me?

5 A. Yes.

6 Q. Do you know when this person gave
7 Dream On Me work product?

8 A. I don't recollect that exact
9 timing.

10 Q. Do you know if it was in July?

11 A. I don't when was that.

12 Q. Do you know if it was after the
13 bankruptcy auction for the BBB intellectual
14 property?

15 A. It should have been before. I
16 don't know. Why would they do it after? I
17 don't recollect that.

18 Q. That's fine.

19 (Whereupon, at this time, an
20 exhibit was displayed via Zoom.)

21 Q. I'm sharing with you another
22 document. This will be Exhibit 12.

23 (Whereupon, at this time, a
24 document was marked as Plaintiff's
25 Exhibit 12, as of this date.)

1 M. Gandhi

2 Q. This an email from Milan. It is
3 sent to Avish as well as Ian Winters, Effie
4 Belhassen, Jacob Sod, Mark Srouer, Gregory
5 Preis, Stephanie Sweeney and Brendan Scott.
6 It is dated June 28. First page is Bates
7 number DOM 14065.

8 Let's start at the top here. This is a
9 somewhat lengthy chain. I'll try to do this
10 in bits and pieces. Let's look at the first
11 email that you sent here on June 28. Do you
12 recognize this email?

13 A. Yes, I'm reading it now.

14 Q. I'll let you read it and then tell
15 me when you're done, please.

16 (Whereupon, at this time, there was
17 a pause in the proceeding.)

18 A. Yes, I read this now.

19 Q. Do you recognize this email?

20 A. Yes, now.

21 Q. Point number two says, "Financial
22 model. He said they can make their people
23 available as needed, but they cannot be
24 responsible for any work and so he suggested
25 we hire an outside firm to prepare a

1 M. Gandhi

2 comprehensive financial model with business
3 assumptions and plan. All data are in data
4 room." Do you see that?

5 A. Yes.

6 Q. When you say he said, who are you
7 referring to?

8 A. Christian.

9 Q. Is that Christian Tempke?

10 A. Good question. I believe it should
11 be Christian Tempke because he only knows
12 about the realistic numbers.

13 Q. And he's telling you that --
14 Christian Tempke works for Lazard, is that
15 right?

16 A. Yes.

17 Q. He's telling you that Lazard cannot
18 be responsible for any work, is that right?

19 A. Right.

20 Q. So he's telling you to hire an
21 outside firm, is that accurate?

22 A. Correct.

23 Q. And he's telling you to do that in
24 order to prepare a comprehensive financial
25 model, is that right?

1 M. Gandhi

2 A. Right.

3 Q. Is this what you were referring to
4 previously when we were discussing the hiring
5 of an outside consultant to prepare a
6 financial model?

7 A. This is the same thing that we kept
8 talking about that we needed to do, have a
9 legal expert, financial expert. We need to
10 have an HR expert. We need to have a real
11 estate expert for different functions. And
12 this is what Christian suggested. That we
13 should have their own people do these things.

14 Q. Okay. This email is dated June 28,
15 is that right?

16 A. Yes.

17 Q. Does this refresh your recollection
18 as to when Dream On Me hired this outside
19 consultant to prepare a financial model?

20 A. I don't recollect. It must have
21 been done because there are so many people on
22 this email. I don't know the names of a few
23 of them right now.

24 Q. Is it fair and accurate to say that
25 this hadn't been done as of June 28 though?

1 M. Gandhi

2 A. Yes, because that's the email date,
3 right?

4 Q. Of course. Is it fair to say that
5 Dream On Me did not have a comprehensive
6 financial model with business assumptions and
7 plans as of the date of this email?

8 A. They had it from the data room.
9 They wanted to -- they had the data room
10 model and the numbers of those were getting
11 changed everyday. They had to redo
12 everything to understand what is happening.

13 Q. When you say the data room, which
14 data room are you referring to?

15 A. Lazard.

16 Q. So they had the Lazard data room --

17 A. Yes.

18 Q. -- data?

19 A. Yes.

20 Q. Do you know whether other entities
21 had access to the Lazard data room?

22 A. I think everybody who would have
23 signed an NDA would have access to that,
24 right.

25 Q. Did you ever go into the Lazard

1 M. Gandhi

2 data room?

3 A. No.

4 Q. Do you know what was in the Lazard

5 data room?

6 A. No.

7 Q. Do you know how many documents were

8 in the Lazard data room?

9 A. No.

10 Q. Did anyone, in particular Avish or
11 Mark, talk to you about the Lazard data room?

12 A. About what?

13 Q. Right now I'm just asking did you
14 have a conversation with anyone about the
15 Lazard data room?

16 A. They were always talking. They
17 were always saying that Lazard's data room is
18 putting data -- putting up data and they were
19 accessing it.

20 Q. Do you know whether the Lazard data
21 room was being populated with new information
22 on a continual basis?

23 A. That is what Avish said in the
24 earlier email.

25 Q. Do you know who at Dream On Me was

1 M. Gandhi

2 responsible for reviewing that information?

3 A. No. I don't know.

4 Q. Do you know whether Dream On Me did
5 review that information?

6 A. Yes, that is how this conversation
7 started and he looked at the data and then he
8 realized new data was coming up and changing
9 everything.

10 Q. When you say he, who are you
11 referring to?

12 A. Avish.

13 Q. Avish, okay. And what did he tell
14 you about new data coming in?

15 A. In this email? An earlier email he
16 said that they are gradually adding the new
17 data.

18 Q. Can you point where he said that in
19 this email?

20 A. Not in this email, the earlier long
21 email that you saw.

22 Q. I understand.

23 A. He was -- they were adding the new
24 data continually.

25 Q. I wanted to direct your attention

1 M. Gandhi

2 to this email from Jacob Sod sent on June 28.

3 This is part of the larger email chain within

4 this exhibit. Milan, you're cc'd.

5 He writes, "Making sure we're 50/50 on

6 management, et cetera. Mark gets his salary

7 plus performance fee. Best records, Jacob."

8 Do you see email?

9 A. Yes.

10 Q. Do you know what Jacob is referring

11 to when he says make sure we're 50/50 on

12 management?

13 A. This must be something to do with

14 that previous meeting. If you see there are

15 lawyers on this email. It must have been

16 between the lawyers and them.

17 Q. You see --

18 A. You see there are lawyers on this,

19 so lawyers would have worked with him

20 directly on this.

21 Q. You don't know what he means by

22 this?

23 A. No.

24 Q. The second sentence, "Mark gets --"

25 A. I'm saying you can see from this

1 M. Gandhi

2 email that he must have spoken about setting
3 the management built on the investment that
4 he was planning to bring in or do.

5 And this is something that, you know,
6 the lawyers would have worked out with him
7 directly.

8 Q. The second sentence reads, "Mark
9 gets his salary plus performance fee." Do
10 you see that?

11 A. Yes.

12 Q. Do you know whether Mark is getting
13 a salary from the company that owns the
14 buybuy BABY assets?

15 A. I'm not privy to that information.

16 Q. Do you know which company Dream On
17 Me used to house the buybuy BABY assets?

18 A. There was a separate company
19 created as far as I remember, but that's
20 about it.

21 Q. Do you know what the company's
22 called?

23 A. BBY Acquisition, something like
24 that.

25 Q. BBY Acquisition Company, does that

1 M. Gandhi

2 sound accurate?

3 A. That looks like the name.

4 Q. Are you involved with BBY
5 Acquisition Company?

6 A. No.

7 Q. You have never done any work for
8 them?

9 A. No.

10 Q. Do you know what Mark's salary is
11 at BBY Acquisition Company?

12 A. No.

13 Q. Do you know what his performance
14 fee is?

15 A. No.

16 Q. This is all part of the email
17 chain?

18 A. You can see the name of the lawyers
19 there so it is something lawyers would have
20 worked with them, not anybody else.

21 Q. So here he is saying, "Do we have
22 authority to bid to 10.2 at next round? And
23 by he, he is referring to Ian Winters. Do
24 you see the sentence?

25 A. Yes.

1 M. Gandhi

2 Q. Were you involved in determining or
3 advising on how much Dream On Me should bid?

4 A. This is my first learning
5 experience so that's why we hire the lawyer
6 who was very much into this and he was
7 advising Mark.

8 Q. Were you also advising Mark and
9 Dream On Me on that?

10 A. No, it was not my role to play
11 there.

12 Q. Did you participate in discussing
13 about how much Dream On Me would bid?

14 A. No, that all happened at the
15 auction.

16 Q. Did you go to the auction?

17 A. Yes.

18 Q. What happened at the auction?

19 A. Every time, there was -- there were
20 a few parties sitting and a few parties on
21 the phone and then they were going around the
22 table asking what everybody wants to bid and
23 then somebody would say I need some time and
24 they will take a break and they will go back
25 in.

1 M. Gandhi

2 Q. What was the first bid that Dream
3 On Me put in at the auction?

4 A. I don't remember. There were six,
5 seven parties sitting there and there were a
6 few on the phone. So it was going like a
7 round table and everybody was -- I think they
8 made it mandatory they should put a hundred
9 thousand more bidding, not 10,000, 20,000 or
10 something. If somebody says 2 million, the
11 next person has to be 2.1, something like
12 that, which I don't remember exact amount,
13 but that is how it went.

14 Q. To clarify, what you're saying is
15 that in order to submit a higher bid, the
16 minimum bid would have to be \$100,000 more
17 than the last one?

18 A. I think a hundred or 200.
19 Something like that.

20 Q. Okay.

21 A. They specified that you cannot bid
22 10,000, you have to bid a specific number
23 more than the previous bidder.

24 Q. I know I asked this, I want to make
25 sure, you don't recall what Dream On Me's

1 M. Gandhi

2 opening bid was, is that right?

3 A. Yes.

4 Q. Do you know how many rounds there
5 were at the auction?

6 A. I think the process went on for
7 three, four hours and there were a few breaks
8 taken in between and they asked people to get
9 out of the bid. So I don't know if there was
10 ever any count of the rounds.

11 It was -- they would go in a circle. If
12 somebody doesn't want to bid, they would go
13 out of the process. Next person bids
14 something. Then the other person, I need
15 time. Then you get a break.

16 So there were a few breaks in between.
17 Nobody counted the number of turns or
18 anything.

19 Q. Do you know how many times Dream On
20 Me submitted a bid at this auction?

21 A. No, I don't remember.

22 Q. Do you know if it was more than
23 once?

24 A. Yes.

25 Q. Do you know if it was more than

1 M. Gandhi

2 twice?

3 A. Yes.

4 Q. Do you know if it was more than
5 three times?

6 A. There were six bidders. Yes, it
7 should be more than three times.

8 Q. Do you know if it was more than
9 four times?

10 A. It was a few times. I don't
11 remember four or ten or 15, but it wasn't --
12 as I said, the process was going around and
13 then everybody will call or bid more and then
14 you continue bidding. It could have been
15 multiple times also.

16 Q. Do you recall having any
17 discussions with anyone at Dream On Me about
18 the amount Dream On Me was willing to bid to
19 win the auction?

20 A. That was Mark's decision and he was
21 working directly with Ian on that. We were
22 just there.

23 Q. You're referring to Ian Winters.

24 A. Yes, he is the lawyer who
25 represented them.

1 M. Gandhi

2 Q. So here we have Ian saying do we
3 have authority to bid to 10.2 the next go
4 around. Do you see that?

5 A. Yes.

6 Q. And then in response Jacob Sod
7 replies, "Yes, that's max." Do you see that?

8 A. Yes.

9 Q. Do you know why that was the max?

10 A. No, I don't know why that is the
11 max. Because that must be Jacob's decision.

12 Q. I understand that. What I'm
13 asking, do you know why that is the case?

14 A. No, I don't know the case because
15 he must have had his own financial things,
16 right, and he would have decided that is what
17 I have, money. I don't know why he is saying
18 that.

19 Q. Do you know if Dream On Me bid more
20 than 10.2 ultimately?

21 A. Yes.

22 Q. Do you know why Dream On Me was
23 willing to go above that 10.2 number?

24 A. No.

25 Q. Here's another email from Ian dated

1 M. Gandhi

2 Wednesday June 28 that follows the email from
3 Jacob Sod.

4 Ian writes, "Based on our call, we have
5 submitted additional and confirm a bid
6 threshold of [REDACTED]. We submitted the
7 last bid of [REDACTED]. Baby List has dropped out.
8 It's just us and Everyday Health." Do you
9 see that?

10 A. Yes.

11 Q. Do you recall that at a certain
12 point the threshold increased to [REDACTED]?

13 A. No. It was sold at 15 and a half.
14 How did it go to 20?

15 Q. The amount they would be willing to
16 bid went up to [REDACTED]. Do you recall
17 that?

18 A. No.

19 Q. There was no conversation about
20 that at Dream On Me?

21 A. The bid was 15.5 so I don't know
22 what that 20 is.

23 Q. Here in the next sentence he
24 writes, "We submitted the last bid of [REDACTED]."
25 Do you know if that means [REDACTED]

1 M. Gandhi

2 A. Yes, everything was in millions at
3 that point.

4 Q. That's more than [REDACTED], right?

5 A. Correct.

6 Q. Do you know why that increase was
7 made?

8 A. I have -- we were all sitting
9 together. Mark was advising Ian to put up
10 the bid as the process was going on. And
11 that is what I think he is mentioning in this
12 email, that now we have put the bid of 11.

13 Q. Do you know what the basis for
14 these bid amounts was?

15 A. No.

16 Q. Do you know whether there was a
17 basis for these bid amounts?

18 A. They're not required to be because
19 the stalking horse was the company that
20 was -- I think there was [REDACTED] or
21 something they were owed. They were the
22 stalking --

23 Q. I'm not asking if there's required
24 to be a basis. I'm asking if there was one.

25 A. No, I don't know about that.

1 M. Gandhi

2 Q. This is another email within the
3 email chain, Ian winters is writing, "We
4 submitted the last bid of 15.5. Everyday
5 Health is conferencing." Do you see that?

6 A. Yes.

7 Q. He is saying here that they
8 submitted that -- Dream On Me submitted a bid
9 of \$15.5 million?

10 A. Correct.

11 Q. Do you know if it was the winning
12 bid?

13 A. Yes.

14 Q. That was the bid that had increased
15 over time throughout this auction, correct?

16 A. Yes. I think the auction started
17 around 10:00 o'clock or something.

18 Q. Do you know how high Dream On Me
19 was willing to go to win the auction?

20 A. No.

21 Q. Do you know if it was at least
22 \$20 million?

23 A. No.

24 Q. You just don't know?

25 A. No, I don't know about it.

1 M. Gandhi

2 Q. As of the date of the auction, do
3 you know whether Dream On Me had a financial
4 model?

5 A. They had the Lazard model.

6 Q. Did they have a model that they
7 developed themselves?

8 A. I don't know that because being
9 outsourced, but whether they had it ready or
10 not, I don't know that.

11 MR. BERLOWITZ: It's 12:25. I want
12 to take -- I want to take lunch. I
13 don't think I have that much left to go,
14 but I want make sure. I might have a
15 few straggler questions.

16 THE WITNESS: I can continue. I'm
17 okay.

18 MR. BERLOWITZ: I'm saying I need a
19 break.

20 (Whereupon, at this time, there was
21 a pause in the proceeding.)

22 MR. BERLOWITZ: Let's come back at
23 one.

24 (Whereupon, at this time, a
25 luncheon recess was taken.)

1 M. Gandhi

2 A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

3 CONTINUED EXAMINATION BY

4 STEVEN BERLOWITZ, ESQ.:

5 Q. I'm going to share another document
6 with you.

7 (Whereupon, at this time, an
8 exhibit was displayed via Zoom.)

9 (Whereupon, at this time, a
10 document was marked as Plaintiff's
11 Exhibit 13, as of this date.)

12 Q. I believe this is going to be
13 Exhibit 13. The top email is an email from
14 Avish to Milan cc'g Mark. The first page is
15 Bates number DOM 11729.

16 Avish says, my comments below -- you'll
17 see that, Milan, you wrote an email which I
18 believe Avish then commented on.

19 Let's first have you read this since
20 there's a lot here and tell me when you're
21 finished and let me know when I should scroll
22 down for you.

23 (Whereupon, at this time, there was
24 a pause in the proceeding.)

25 A. You can scroll.

1 M. Gandhi

2 (Whereupon, at this time, the
3 attorney scrolled through the exhibit as
4 requested.)

5 A. I read it.

6 Q. Do you recognize this email?

7 A. Honestly, this is the first time
8 I'm reading it now in this detail.

9 Q. Okay.

10 A. But my email -- we walked through
11 this. My email that I told them to prepare
12 all this and this is exactly what he's saying
13 that he created in the second point that's
14 directing more container space that I spoke
15 about earlier.

16 Q. You wrote this email, correct?

17 A. Yes.

18 Q. My understanding, based on this
19 email above, is that Avish has comments
20 within the email you wrote. Is that your
21 understanding?

22 A. Yes.

23 Q. Are you able to distinguish between
24 the portion that you wrote and what Avish
25 wrote?

1 M. Gandhi

2 A. Yes, I think my -- my email is only
3 the points. Everything that is returned
4 after is what he said.

5 So my point number one, vision
6 statement. Point number two is turnaround
7 strategy. Three, marketing strategy. Mine
8 was the point and he detailed what he is
9 planning.

10 Q. Let's take point number one, vision
11 statement. Is the only portion of what you
12 wrote just vision statement and everything
13 else under that is Avish?

14 A. Yes.

15 Q. Do you know whether Dream On Me had
16 worked on or developed the vision statement
17 as of June 24?

18 A. I believe whatever he is saying
19 here, I think it was my advice to them what
20 they should do and it was their decision what
21 and how.

22 Q. I'm asking do you know whether they
23 had worked on developing a vision statement
24 as of June 24?

25 A. I have not seen it. They must have

1 M. Gandhi

2 done it. That's what he's mentioning it.

3 Q. They must have done it after you
4 recommended it, correct?

5 A. No, he's saying it's already there,
6 part of the BBB presentation. So he already
7 had it in the presentation.

8 Q. I want to distinguish between
9 information that would have been provided to
10 you either by BBB or anyone else and
11 information and analysis that Dream On Me
12 independently developed as work product.

13 So my question isn't whether Dream On Me
14 had that information, it's whether Dream On
15 Me developed its own independent vision
16 statement as of June 24?

17 A. The way I read this past comment,
18 he would have developed it. That is why he's
19 saying part of it from the BBB presentation
20 and some from being a traditional retailer.
21 That is something he would have developed,
22 that this is what it is.

23 Q. Do you know that for a fact?

24 A. I did not see it.

25 Q. Okay. I want to move to the second

1 M. Gandhi

2 point, turnaround strategy.

3 This says direct import, container space
4 usage, strategic sourcing, extended terms, et
5 cetera. Is that the extent of the points
6 that you wrote?

7 A. No.

8 Q. No?

9 A. Turnaround strategy, that was my
10 point.

11 Q. Say that again?

12 A. Only the turnaround strategy was
13 what I had mentioned. Everything else is
14 what he came up with.

15 Q. Do you know whether Dream On Me was
16 working on or had developed a turnaround
17 strategy as of June 24?

18 A. So container space I spoke to you
19 already. They looked at that with their own
20 sources. Direct importing is what they're
21 doing. It is not new for them. It's their
22 own business, they are doing it.

23 Strategy sourcing, that I don't know
24 what does that mean. They must be talking of
25 buying from specific companies and

1 M. Gandhi

2 everything.

3 And then extended terms is what he's
4 saying we should be offering to get the
5 merchandise, new merchandise.

6 The next line, we are developing the
7 latest presentation. That presentation that
8 was already prepped, they already had it.

9 Q. Do you know that DOM prepared that
10 presentation?

11 A. It says here. I don't recollect,
12 pretty much what he is --

13 Q. What it says, partly available in
14 the latest presentation?

15 A. That is --

16 Q. Do you know whether that is a
17 presentation that DOM created?

18 A. I believe so. I know -- I'm not
19 going into detail about that, but he is
20 definitely saying that this is -- they
21 already done it in their latest presentation.

22 Q. What is your basis for believing
23 that DOM prepared the presentation?

24 A. The way he's mentioning, partly
25 available in the latest presentation.

1 M. Gandhi

2 Q. Do you have any other basis for
3 believing that DOM created that presentation
4 other than this, what you are reading in this
5 email?

6 A. If you read the next line, "DOM
7 will sweeten it further with its value
8 addition." So this was the presentation
9 created by DOM and you wanted to further
10 sweeten it.

11 Q. Does it state here that DOM created
12 the presentation?

13 A. It does not say -- it's implicit in
14 the way he has mentioned this.

15 Q. It just says DOM will sweeten it
16 further --

17 A. Right.

18 Q. -- with value addition. It doesn't
19 mention DOM's work on the presentation, is
20 that right?

21 A. I do not interpret it that way.
22 When you say DOM --

23 Q. Okay.

24 A. It means the latest presentation
25 that they have.

1 M. Gandhi

2 Q. And just a final point on this, do
3 you have any other basis other than what you
4 are reading in this email to know that DOM
5 created a turnaround strategy document?

6 A. I'm not aware of those.

7 Q. Have you seen any turnaround
8 strategy document from Dream On Me?

9 A. It would be a part of the
10 presentation that he's talking, but I don't
11 recollect.

12 Q. I'm asking if you have seen it.

13 A. No, I don't recollect having seen
14 it. It may be there and I might have glanced
15 it, but I don't recollect right now.

16 Q. Third point is marketing strategy.
17 Is the only portion of this that you wrote
18 just the words, two words marketing strategy?

19 A. Yes.

20 Q. Do you know whether Dream On Me had
21 a marketing strategy as of June 24, 2023?

22 A. Avish is the chief marketing
23 officer of the company so I'm pretty
24 confident that he would have done this well
25 in advance.

1 M. Gandhi

2 Q. I don't want you to speculate. I
3 want you to tell me if you know whether there
4 was a marketing strategy?

5 A. No, I cannot say that, but I'm
6 pretty confident.

7 Q. Did Avish ever show you a marketing
8 strategy?

9 A. I did not ask for it.

10 Q. Did he show you one even if you
11 didn't ask for it?

12 A. No.

13 Q. Have you seen one?

14 A. No.

15 Q. Point number one, technology
16 transfer and operating plan. Which portion
17 of this did you write?

18 A. Up to that much.

19 Q. Okay. Do you know whether Dream On
20 Me had a technology transfer and operating
21 plan as of June 24?

22 A. I believe that gentleman Amit who
23 is the -- was hired, he was constantly in
24 touch with the BBB team on these things.

25 Q. Do you know whether Dream On Me had

1 M. Gandhi

2 a technology transfer and operating plan as
3 of the date of this email?

4 A. I would not know and I would not
5 even ask them.

6 Q. Did you see a document?

7 A. No.

8 Q. That would have been a technology
9 transfer and operating plan?

10 A. I don't recollect.

11 Q. Did you say you don't remember?

12 A. Yes, I don't recall that.

13 Q. Point number five, financial.

14 Which part of this point did you write?

15 A. Up to that.

16 Q. Do you know whether as of this date
17 Dream On Me had a financial plan?

18 A. They had asked this company Alix to
19 create a couple of plans and then they had
20 reviewed that.

21 Q. Do you know that at this point they
22 had an operating plan or a financial plan?

23 A. They had received from Alix, based
24 on assumptions, they had asked for and they
25 had received it.

1 M. Gandhi

2 Q. You know this for a fact?

3 A. Pretty much I remember that plan
4 that was given to us.

5 Q. How do you know this?

6 A. Because if you remember in one of
7 the earlier emails, Christian had said from
8 Lazard that we will do it, but we will not be
9 backing that because that is for you to
10 review it. So it was already done by those
11 people when they asked for it.

12 Q. Did you see the financial plan that
13 you received?

14 A. I've seen one where they were
15 showing the historical performance and moving
16 forward.

17 Q. What document is that?

18 A. I don't remember, but there was a
19 financial plan created by Alix showing the
20 past three, four years performance and the
21 future, whatever those performance that they
22 can do.

23 Q. To be clear, that wasn't a document
24 created by Dream On Me, is that correct?

25 A. It was a document by Dream On Me

1 M. Gandhi

2 based on their assumption they gave to Alix
3 to prepare.

4 Q. I want to know if Dream On Me
5 developed that document itself. Do you know
6 whether it did so?

7 A. There was an outside person who was
8 doing that for them.

9 Q. Someone outside of Dream On Me?

10 A. Yes, that they had hired.

11 Q. Do you know when they hired them?

12 A. No, I don't remember exactly.

13 Q. I realize this is one of Avish's
14 points, but he writes, "Looking at cash flow,
15 it looks as if we need to be prepared with [REDACTED]
16 to [REDACTED] operating the business in the
17 first six months." Do you see that?

18 A. Yes, I see it now.

19 Q. Do you know what the basis for
20 those numbers are?

21 A. No. I think that was a working
22 capital requirement that came up in one of
23 those plans. If you want to operate a
24 billion dollar business, then you will need
25 this much of cash for the, you know, retail

1 M. Gandhi

2 locations, number of people, marketing, IT
3 everything.

4 Q. Did you see these numbers in a
5 document?

6 A. There was one plan that I seen it
7 that had it.

8 Q. Do you know which plan that was?

9 A. No, I don't remember which plan was
10 that, but it was something that they looked
11 at.

12 Q. Something what?

13 A. Something that was -- they looked
14 for, Dream On Me.

15 Q. Do you know if Dream On Me
16 developed it itself?

17 A. I think they asked them to develop
18 it and their outside person worked on with
19 the changes.

20 Q. But you don't know where this
21 information came from?

22 A. I think that came from Alix.

23 Q. Do you know that?

24 A. Yes.

25 Q. You looked at the document?

1 M. Gandhi

2 A. I looked at the document. I don't
3 know whether it came from Alix, but I
4 remember Alix and Lazard said that we can
5 provide the people to create it, but we do
6 not take responsibility for that.

7 Q. I want to know how you know where
8 these numbers come from. Do you understand
9 what I'm asking you?

10 A. Yes.

11 MR. MURPHY: Milan, don't
12 speculate. Whatever you know.

13 A. I believe that -- I don't know. I
14 don't know.

15 Q. To be clear, you don't know where
16 these numbers came from?

17 A. Yes.

18 Q. Okay. Point six, cap table. Did
19 you only write the two words cap table?

20 A. Yes.

21 Q. Do you know whether Dream On Me had
22 developed or was working on a cap table as of
23 June 24?

24 A. I don't know about it.

25 Q. What is a cap table?

1 M. Gandhi

2 A. Basically who is putting how much
3 capital and what the percentage of the share
4 of the ownership that each one would get.

5 Q. Point number seven is due diligence
6 report. The only points in this point number
7 seven you wrote were due diligence report?

8 A. Yes.

9 Q. Do you know whether Dream On Me was
10 working on or had developed a due diligence
11 report as of June 24?

12 A. They were working on it. I don't
13 know whether they developed the fully backed
14 plan, but they were working on it.

15 Q. How do you know that they were
16 working on it?

17 A. Because whenever I spoke to Avish
18 and Mark they were always talking about it
19 all. This is what we have done, this is what
20 we need to do or should do.

21 Q. Okay, as of June 24 --

22 A. The date I don't remember so I
23 don't want to say that.

24 Q. Please let me finish my question so
25 the court reporter can get my question and

1 M. Gandhi

2 your response down cleanly.

3 My question is, as of June 24 what work
4 had Mark and Avish completed on a due
5 diligence report?

6 A. I don't remember what work was
7 completed. I can only tell you that there
8 were conversations always going on between
9 the two of them and there were doing a lot
10 of research and analysis themselves.

11 Q. You were present for those
12 conversations --

13 A. No.

14 Q. -- between -- you were not?

15 A. No, I was only told that they are
16 working on it.

17 Q. Who told you they were working on
18 it?

19 A. Avish.

20 Q. Avish did?

21 A. Yes. Yes.

22 Q. Anybody else?

23 A. I was not talking to anybody there.

24 Q. Did you see a due diligence report?

25 A. No.

1 M. Gandhi

2 Q. So the only reason you know that
3 this is happening is because Avish told you?

4 A. Yes.

5 Q. Okay. Point number eight, go
6 forward team. Is that the only part of this
7 point that you wrote?

8 A. Yes.

9 Q. As of June 24, 2023, what work had
10 Dream On Me done with regard to a go forward
11 team?

12 A. I don't know anything about it. I
13 believe all the hiring happened in end June
14 or July end, something like that.

15 Q. Did you see any work product with
16 regard to a go forward team from Dream On Me?

17 A. No. No. I was not -- I was not
18 part of it.

19 Q. I want to jump back now. Do you
20 recall telling me that there was an in-person
21 meeting between Dream On Me and Go Global on
22 June 15, 2023?

23 A. The date I don't remember, but yes,
24 there was an in-person meeting at the Dream
25 On Me office.

1 M. Gandhi

2 Q. And I will represent to you that
3 that did occur on June 15?

4 A. Okay.

5 Q. Did you attend that meeting?

6 A. Yes.

7 Q. Who else attended that meeting?

8 Let's start with just Dream On Me.

9 A. I think Mark, Avish, Amit, maybe
10 Mark's brother. I don't remember exactly.
11 And maybe Mark's son.

12 Q. What is Mark's brother's name?

13 A. Joey.

14 Q. Joey Srour?

15 A. Yes.

16 Q. Is Mark's son's name Jack?

17 A. Yes.

18 Q. Who do you know attended from the
19 Go Global side?

20 A. Same two people who were at the
21 dinner.

22 Q. Do you know if that's Christian
23 Feuer?

24 A. Yes.

25 Q. And Deborah Garguilo?

1 M. Gandhi

2 A. Same person who was there at the
3 dinner.

4 Q. They were at the in-person meeting?

5 A. In-person and then someone was on
6 the video also.

7 Q. Do you know who Jeff Streider is?

8 A. Yes, that's the gentleman who was
9 on the video.

10 Q. Do you know another person named
11 Yuen Chow?

12 A. That doesn't ring the bell.

13 Q. Do you know if he attended that
14 meeting?

15 A. No, I don't know who that person
16 is.

17 Q. Fair enough. Do you know if anyone
18 else attended that meeting?

19 A. You know that lady who was
20 presenting them.

21 Q. Are you referring to Kathleen
22 Lauster?

23 A. Yes.

24 Q. From Ankura?

25 A. Kathleen and her colleague.

1 M. Gandhi

2 Q. I believe you're referring to
3 Matthew Lapish, does that sound right?

4 A. Yes.

5 Q. At the time of the meeting, were
6 you aware that the meeting was being
7 recorded?

8 A. Recorded?

9 Q. Yes.

10 A. No. There were cameras there which
11 is in the company.

12 Q. My question isn't whether there
13 were cameras. My question is, did you know
14 the meeting was being recorded?

15 A. No.

16 Q. Did anyone tell you that the
17 meeting was being recorded at any point?

18 A. Recording -- I don't recollect
19 that. I don't recollect that.

20 Q. Do you recall during the meeting
21 leaving the meeting room with other Dream On
22 Me personnel so that Dream On Me could have a
23 conversation privately and Go Global can have
24 a conversation privately?

25 A. I was, in fact, standing with the

1 M. Gandhi

2 Go Global team at that point and I was just
3 checking about it. Maybe after I went back
4 out and came back in.

5 Q. At which point are you referring?
6 I'm speaking about the whole meeting.

7 A. Yes, that's what I am saying.
8 There was a break taken in between and then I
9 gone to my place and then I came back and I
10 was talking to Christian and those people
11 again.

12 Q. So to be clear, there was a time
13 during the meeting when Dream On Me left the
14 meeting and left Go Global alone in the
15 conference room, is that right?

16 A. Yes.

17 Q. Do you recall being pulled into a
18 meeting, a separate room, and being shown a
19 live feed of that meeting?

20 A. Live feed? I don't recall a live
21 feed. They were talking about what would
22 they be thinking if -- if this option versus
23 this option because there were differences in
24 the offer that could be made by both the
25 parties. They were talking about that at

1 M. Gandhi

2 that point.

3 Q. Were you in the room when Go Global
4 was talking about that?

5 A. I was with Go Global.

6 Q. All right. Do you recall being
7 with Mark Srour and watching on a video
8 screen during June 15 a live feed of Go
9 Global having a discussion about this meeting
10 and the bankruptcy auction?

11 A. I had gone to the room, but then I
12 went back to my office doing my work.

13 Q. What do you mean the room?

14 A. When they went out, they were all
15 sitting in one room. Go Global was sitting
16 in their room and they were talking about it.
17 So I came back to Go Global saying, you know,
18 how do we strike the deal and I was talking
19 to them.

20 Q. Okay. Okay. Did you ever learn
21 before today that that meeting was recorded?

22 A. I know that there are cameras.
23 Whether they were recording it or it was just
24 the cameras, I don't know that much. What
25 you are telling me today --

1 M. Gandhi

2 Q. Is today the first day, the first
3 time that you learned that there is a
4 recording of this meeting?

5 A. I know about the cameras, whether
6 they were recording everything or not,
7 that --

8 Q. I'm not asking whether you know
9 there were cameras there. I know that you
10 know it.

11 I'm asking whether you know that they
12 were using the cameras to record the meeting?

13 A. That cameras work 24/7 recording
14 everything for all people there. Even in the
15 warehouse we have 24/7 cameras.

16 So if there is a backup happening, then
17 everything gets recorded everywhere in the
18 company. And that was the new office that
19 was just given -- just came into existence.

20 Q. Is it fair to say --

21 A. I come from a jewelry background.

22 MR. MURPHY: He just wants to know
23 if you knew about the recording.

24 Q. Did you know on June 15 that that
25 meeting was being recorded?

1 M. Gandhi

2 A. Again, I am saying that everything
3 is getting recorded in -- there are cameras
4 in all the company.

5 Q. Okay. Did you tell anyone from Go
6 Global that the meeting might be recorded?

7 A. No, I never had that conversation
8 with anybody.

9 Q. Did you point out to anyone at Go
10 Global the video cameras in the meeting room?

11 A. I did not have to specifically tell
12 them that there are cameras that everybody
13 would see.

14 Q. I'm asking if you told them, not if
15 they could see them.

16 A. No. No.

17 Q. Thank you. What was the purpose of
18 the June 15 meeting?

19 A. That was to discuss how that can be
20 achieved, the goal of buying the buybuy BABY.

21 Q. And what specific issues or topics
22 do you recall discussing at that meeting?

23 A. There were two, three points that
24 were specifically discussed. One was the
25 role of each company, the Go Global and Dream

1 M. Gandhi

2 On Me.

3 Second was about the capital that it
4 required to do this.

5 Third was the at what point they would
6 like to exit and who would take what money.

7 Q. Tell me more about the role that
8 each company was going to play. What was
9 that discussion like at this meeting?

10 A. So if I remember correctly Go
11 Global said that it held the retail
12 operations and that is why they feel
13 comfortable in running the retail from the
14 front end. Dream On Me said they would use
15 supply chain and product experience so they
16 will run the back end. And then in the
17 management they will all be participating
18 together.

19 Q. Dream On Me wanted to participate
20 in the management of the future company, is
21 that right?

22 A. If I remember correctly, Dream On
23 Me was putting the capital and Go Global was
24 not putting the capital.

25 Q. So what was Go Global's

1 M. Gandhi

2 contribution?

3 A. The managing of the company, more
4 like a sweat capital.

5 Q. Was that a sticking point in the
6 meeting?

7 A. I think there were two sticking
8 points. One that originally they were
9 supposed to put in capital. That changed.

10 And then secondly, on the exit, they
11 asked for some money and I think Mark said I
12 should also get the same money what you are
13 getting so they were talking about the deal
14 being equal to both the companies.

15 Q. Is this what the two and 20 model
16 is?

17 A. I heard that, the 2/20, that --
18 that was the first time I heard it. The
19 first time you do the two percent and exit
20 you take the 20 percent or something like
21 that.

22 Q. Something like that?

23 A. Yeah.

24 Q. That was the first time in that
25 meeting that you had ever heard of that

1 M. Gandhi

2 model?

3 A. Yes.

4 Q. Had anyone else at Dream On Me

5 heard of that model?

6 A. I don't know about the other

7 people.

8 Q. How do you think that meeting went?

9 A. It started on a very good note, but
10 once they got the differences, I believe that
11 they decided that, you know, we'll continue
12 to think about it and see if we can come
13 together on some of this.

14 Q. Did they come together?

15 A. No, then there was just verbal
16 conversations, if there is something that can
17 be done, but I think both the parties were
18 sticking to their grounds.

19 Q. Do you know whether you had a
20 conversation with Mark and Avish and Jack
21 after Go Global left the meeting?

22 A. Yes.

23 Q. And what did you discuss?

24 A. Same thing, if there is anyway that
25 we can provide some alternative options so we

1 M. Gandhi

2 can still get the money, but we don't have to
3 be equally in this way.

4 Q. Do you know who the ultimate
5 decision maker at Dream On Me is?

6 A. Mark.

7 Q. He is the only one, right?

8 A. Yes.

9 Q. Do you know whether Mark was happy
10 with the potential arrangement being proposed
11 between Go Global and Dream On Me as of the
12 date of this meeting?

13 A. At the end of the meeting they did
14 not agree so it was not agreeable to him.

15 Q. Do you remember Mark saying fuck
16 these guys?

17 A. I don't use those words so I don't
18 want to hear those, please.

19 Q. I apologize, but I'm asking if you
20 heard Mark use those words?

21 A. Even if he would have used it, I
22 don't want to hear that and I'm staying out
23 of all this.

24 Q. I'm asking if you heard Mark say
25 those words; yes or no?

1 M. Gandhi

2 A. No.

3 Q. No?

4 A. No.

5 Q. Do you know whether Dream On Me had
6 any other meetings in that conference room or
7 building with regard to the buybuy BABY
8 auction?

9 A. No, not that I was part of any of
10 them.

11 Q. After the meeting ended, during
12 your conversation with Mark and Jack and
13 Avish, did you discuss Dream On Me's
14 submitting a bid without Go Global?

15 A. No, I did not discuss anything with
16 them.

17 Q. Well, you had a conversation with
18 them, didn't you?

19 A. Yes, but that conversation was how
20 to make it work for both the parties, for Go
21 Global and Dream On Me to work together.

22 Q. Mark didn't indicate to you that he
23 didn't want to work with Go Global?

24 A. No, he said they don't agree to my
25 terms, then there is no point of working

1 M. Gandhi

2 together because, you know, I need to be
3 equal as to what they do.

4 Q. And Mark is the decision maker,
5 right?

6 A. Yes.

7 Q. So was Mark communicating that he
8 didn't want to work with Go Global?

9 A. No, he said that I laid out my
10 terms, if they don't want to agree to those
11 terms then we can't do anything.

12 Q. He didn't -- the parties didn't
13 ultimately agree to those terms or come to an
14 agreement, correct?

15 A. Correct.

16 Q. During the meeting, was Mark -- do
17 you know whether Mark was considering
18 pursuing a bid without Go Global?

19 A. I think at that point the focus was
20 only to work with Go Global so there was no
21 consideration at that meeting.

22 After that meeting, what happened and it
23 didn't work out, that was different, but at
24 that meeting the focus was how the parties
25 can work together.

1 M. Gandhi

2 Q. But I'm talking about after the
3 meeting and after it was determined that
4 there wasn't going to be a deal.

5 A. Yes, they were looking at different
6 options, what they should do to get the
7 business.

8 Q. Dream On Me was looking at
9 different options?

10 A. Yes.

11 Q. What were those other options?

12 A. The options was to buy only the IP
13 or get some other investors who can put in
14 more money for us.

15 Q. Those options didn't include Go
16 Global, correct?

17 A. Yes, I think so because at that
18 point Go Global had said no to Mark's offer.

19 Q. Do you have a consulting agreement
20 with Dream On Me?

21 A. No.

22 Q. Do you have any kind of agreement
23 that formalizes your relationship with Dream
24 On Me?

25 A. No. As I said, I'm a one person

1 M. Gandhi

2 company myself and I just go to companies, I
3 do the work and that's it.

4 Q. How are you compensated?

5 A. Number of hours that I do for them.

6 Q. Do you know whether you have a
7 Dream On Me email address?

8 A. Yes.

9 Q. Why do you have that if you don't
10 work for Dream On Me?

11 A. Because when I was looking at that
12 charge backs and I had to log into the retail
13 websites of Amazon and Walmart and everybody,
14 without having an official email I could not
15 get entry so I had gotten the email and I
16 could release to myself to download the
17 charge backs and policies and materials.

18 Q. I know I think we covered this, I
19 want to double back real quick. Did you do
20 work with Dream On Me before 2020?

21 A. No.

22 Q. No work at all?

23 A. No.

24 MR. BERLOWITZ: That's all the
25 questions I have. Thank you very much.

1 M. Gandhi

2 MR. MURPHY: I don't have any
3 questions.

4 MR. BERLOWITZ: Thank you all.
5 Milan, thank you for your time. Thank
6 you for answering the questions.

7 THE WITNESS: Thank you.

8 MR. BERLOWITZ: Take care everyone.

9 THE WITNESS: You too.

10 (Whereupon, at this time, the
11 examination of this witness concluded at
12 1:40 p.m.)

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

A C K N O W L E D G M E N T

3

4

STATE OF NEW YORK)

$$:SS$$

5

COUNTY OF)

6

7

I, MILAN GHANDI, hereby certify

8

that I have read the transcript of my

9

testimony taken under oath in my deposition

10

of October 17, 2024; that the transcript is a

11

true, complete and correct record of my

12

testimony, and that the answers on the record

13

as given by me are true and correct.

14

15

16

17

MILAN GHANDI

18

19

Signed and subscribed to before

20

me, this _____ day
of _____, 2024

of _____, 2024

21

22

Notary Public, State of New York

23

24

25

1

2

I N D E X

3

4

WITNESS

EXAMINATION BY

PAGE

5

M. Ghandi

Mr. Berlowitz

7

6

7

E X H I B I T S

8

PLAINTIFF'S

DESCRIPTION

FOR ID

9

Exhibit 1

Email - DOM 10791

25

10

Exhibit 2

Email - GG 9434

30

11

Exhibit 3

NDA - GG 8791

31

12

Exhibit 4

Email - DOM 2770

32

13

Exhibit 5

Email - DOM 2783

49

14

Exhibit 6

Email - DOM 2800

60

15

Exhibit 7

Email - DOM 10868

62

16

Exhibit 8

Email - DOM 2920

73

17

Exhibit 9

Email - DOM 2921

73

18

Exhibit 10

Email - DOM 11301

79

19

Exhibit 11

Email - DOM 11714

82

20

Exhibit 12

Email - DOM 14065

99

21

Exhibit 13

Email - DOM 11729

118

22

23

REQUESTS/PRODUCTION

24

(None this date.)

25

1

2

C E R T I F I C A T E

3

4

I, JENNIE FANTASIA, a Notary

5

Public in and for the State of New York, do

6

hereby certify:

7

THAT the witness whose deposition

8

is hereinbefore set forth, was duly sworn by

9

me and;

10

THAT the within transcript is a

11

true record of the testimony given by such

12

witness.

13

I further certify that I am not

14

related either by blood or marriage; to any

15

of the parties to this action; and

16

THAT I am in no way interested in

17

the outcome of this matter.

18

IN WITNESS WHEREOF, I have

19

hereunto set my hand this 1st day of

20

November, 2024.

21

22


Jennie Fantasia Kilgallen

23

24

25



ERRATA SHEET

NAME OF CASE:_____

DATE OF DEPOSITION:_____

NAME OF DEPONENT:_____

The following corrections, additions or deletions are noted for the following reasons:

PAGE	LINE	CHANGE	REASON
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Subscribed and Sworn to Before Me
This ____ day of _____, 20__.

WITNESS' SIGNATURE

NOTARY PUBLIC Commission Expires:

A		
A-F-T-E-R-N-O-O-N 118:2 a.m 1:12 Abhishek 26:13 30:3,15 ability 8:16 38:23 able 18:16 67:11 119:23 access 30:17,20,24 55:8 103:21,23 accessing 104:19 Accountants 9:20 accounting 9:15 11:3 12:5,6 14:24 15:7 44:12 accounts 15:8 accurate 27:2 93:21 94:25 95:6 101:21 102:24 108:2 achieved 141:20 acquire 16:5 25:8 acquired 40:22 55:5 acquisition 43:2 107:23,25 108:5 108:11 action 10:10,14 153:15 activities 46:9 67:9 add 71:12 adding 105:16,23 addition 124:8,18 additional 114:5 address 5:25 149:7 adequate 39:4 administrative 57:3,22 advance 125:25 advice 20:14 43:21,22 44:21 46:19 46:20 48:5 120:19 advise 43:19 44:5,16 advised 13:9 advising 55:22 59:10 71:11 92:23 109:3,7,8 115:9 affect 8:16 afterward 36:21 against- 1:6 agency 4:11 agenda 50:5,13,21,23 51:22 57:13 ago 75:21,22 agree 41:13 84:5 88:15,18,21 89:22 89:25 90:5 91:9 94:14 145:14 146:24 147:10,13 agreeable 145:14 agreed 3:4,9,13 4:3 agreeing 75:8 agreement 147:14 148:19,22 Ahmedabad 9:11 Alix 127:18,23 128:19 129:2 130:22 131:3,4 allow 43:17 alternative 144:25 Amazon 36:10 149:13 Amit 126:22 135:9 amount 15:9 29:16 50:9 85:20,24 110:12 112:18 114:15 amounts 53:21 115:14,17	analysis 53:10 55:7 90:18 121:11 133:10 analyze 89:20 Ankura 34:7,11,22 136:24 announcements 80:15 answer 6:19 7:17 70:22 answered 15:19 answering 150:6 answers 151:12 anticipated 10:2 anybody 13:16 29:10 80:16 91:22 108:20 133:22,23 141:8 anyway 144:24 apartment 6:3 apologies 9:7 apologize 97:3 145:19 appearing 5:12 appears 26:25 appointed 80:25 approximate 18:16 67:11 arrangement 145:10 arrested 8:12 ascertain 35:10 53:25 54:18 Asia 55:19 asked 19:15 21:25 49:3 53:7 72:18 80:10 84:14 110:24 111:8 127:18 127:24 128:11 130:17 143:11 asking 7:2,19 18:19,22 30:13 48:8 58:24 62:15 72:14,18 78:14 81:19 87:9,25 88:21 104:13 109:22 113:13 115:23,24 120:22 125:12 131:9 140:8,11 141:14 145:19,24 aspects 94:10 assessment 52:9 asset 25:9 assets 16:5 20:18 53:21 63:13 66:19 107:14,17 assigned 87:23 assignments 75:23 associate 80:3 assume 7:18 14:11 47:10 assumption 129:2 assumptions 54:14 101:3 103:6 127:24 attached 31:20 attaches 60:23 attempted 37:3 attend 9:2,8,16,21 21:21 66:24 135:5 attended 27:16 33:17 34:4,10 135:7 135:18 136:13,18 attention 47:4 105:25 attorney 1:16 13:12,13,13 33:2 83:11,16 119:3 attorneys 2:4,9 5:4 auction 16:4 18:9,10,19,25 19:4,5 19:12,22,23 29:2 36:17 37:15 38:24 43:20 44:17 45:17 48:20 53:12 63:6,8,12 64:7 67:14,17	68:7 70:3 71:5,6,8 77:19 80:18 82:5 97:24 99:13 109:15,16,18 110:3 111:5,20 112:19 116:15,16 116:19 117:2 139:10 146:8 auctions 19:8 Auditor 9:25 authority 108:22 113:3 available 21:2 47:8 91:14 100:23 123:13,25 Avenue 2:10 Avish 13:21 21:21 22:2 26:12 30:15 34:18 38:15,18 45:19 46:3 49:25 51:25 60:13,20 62:7 63:15 68:10 68:16 79:19 80:23 82:25 83:21 85:9,19 86:13 87:8,18 88:4 89:3,3 91:15 92:17 93:12 95:3,6 96:3,6 96:10,16,25 97:2,3,4,10 100:3 104:10,23 105:12,13 118:14,16 118:18 119:19,24 120:13 125:22 126:7 132:17 133:4,19,20 134:3 135:9 144:20 146:13 Avish's 129:13 aware 15:16 16:3 17:16,21 25:11 29:12 45:25 46:2 48:16,19 87:24 125:6 137:6 <hr/> B B 41:5,7 152:7 Babies 40:20,21 41:11 baby 16:5 17:16 18:3 20:2,20,21 21:3 22:16,23 35:23,24 36:3,23 37:3 40:20,21 41:3,10,12 43:16 44:2 56:3 60:24 62:10 70:2 71:14 80:6 93:19 107:14,17 114:7 141:20 146:7 BABY's 20:18 24:13 63:13 Bachelor 8:21,23 bachelor's 9:12,14 back 7:13 16:15,16 17:15 40:9 50:12 52:20 57:6 58:25 66:23 69:19 73:21 74:22 77:5 109:24 117:22 134:19 138:3,4,9 139:12 139:17 142:16 149:19 backed 132:13 background 140:21 backing 16:19 128:9 backs 149:12,17 backup 140:16 bankrupt 36:23 bankruptcy 16:4 17:16,17 18:2,9 18:19,20,25 19:2,10 20:22 37:15 38:24 48:20 53:12 63:6 66:19 70:3 80:18 97:24 99:13 139:10 based 27:6 70:25 84:11 85:25 87:4 114:4 119:18 127:23 129:2 basically 35:20 132:2 basis 104:22 115:13,17,24 123:22 124:2 125:3 129:19 Bates 26:2 30:5 31:25 32:16 50:2

60:16 62:11 73:7 77:7 79:20 83:3 100:6 118:15 Bath 18:7 BBB 60:14 90:13 94:8 99:13 121:6 121:10,19 126:24 BBBY 41:5 47:17 83:2 107:23,25 108:4,11 bearing 77:7 bears 26:2 31:25 32:16 60:16 62:10 73:7 beat 31:13 Bed 18:6 began 19:13 23:18 begins 47:5 82:2 88:9 begun 24:10 behalf 70:16,21 85:18 Belhassen 100:4 belief 5:11 believe 14:25 27:6,20 34:11 38:11 48:8 51:4 57:7 66:8 72:17 73:3 85:25 101:10 118:12,18 120:18 123:18 126:22 131:13 134:13 137:2 144:10 believing 123:22 124:3 bell 136:12 Berkman 2:4 6:11 Berlowitz 2:6 5:6 6:6,9 15:20 25:18 69:8 83:14 117:11,18,22 118:4 149:24 150:4,8 152:5 best 5:10 91:23 106:7 better 44:19 74:18 75:10 81:6 Beyond 18:7 bid 19:14 20:5 22:4,9 23:20 24:25 25:13 28:11,14,23 29:14 36:17 37:15 38:24 39:2,5,9,19,23 40:3 42:25 43:13,15 48:14 53:18 77:11 77:15 78:22 80:11,20 81:10,16 82:4 108:22 109:3,13,22 110:2,15 110:16,21,22 111:2,9,12,20 112:13,18 113:3,19 114:5,7,16,21 114:24 115:10,12,14,17 116:4,8 116:12,14 146:14 147:18 bidder 78:15,19 79:7 84:2,6 110:23 bidders 79:3 91:2 112:6 bidding 77:21 78:2,10 110:9 112:14 bids 111:13 big 20:11,15 22:16 56:16 65:4 86:21 billion 76:16 92:10,16 129:24 bit 16:20 19:21 41:21 43:22 73:21 bits 100:10 blood 153:14 body 10:11 booth 65:2 bottom 32:19 43:7 55:10 68:13 90:11 Boulevard 6:3 brand 11:15 40:13,23,25	brands 40:19 break 7:22,23 41:23 69:13 109:24 111:15 117:19 138:8 breaks 111:7,16 Brendan 79:18,24 80:9 81:4,5 100:5 Bricks 41:8,8 briefly 12:4 35:13 59:23 bring 52:17 56:17 107:4 brother 135:10 brother's 135:12 budgeted 54:13 budgets 91:6 92:3 build 95:12 building 146:7 built 107:3 business 24:21 35:16,19,23 36:3 39:17 43:23 44:20 59:7 74:4 79:6 85:25 86:4 94:10 101:2 103:6 122:22 129:16,24 148:7 busy 64:8 65:4 buy 20:2 22:24 36:22 37:3,5 43:4 44:25 45:2,4 46:15 52:15 54:8,19 148:12 buybuy 16:5 17:16 18:3 20:2,18,20 20:21 21:3 22:16,23 24:13 35:23 35:24 36:3,22 37:3 40:20 41:3,9 41:12 43:16 44:2 56:3 62:10 63:13 70:2 93:19 107:14,17 141:20 146:7 buyer 72:16 buyers 47:8 buying 37:6,7 54:4 122:25 141:20	cc'd 26:11 79:20 106:4 cc'g 118:14 censure 10:10,14 Centre 2:5 certain 17:17 47:10 83:25 114:11 certificate 9:23 certificates 10:3 certification 3:6 Certified 9:24 certify 151:7 153:6,13 cetera 106:6 122:5 chain 42:2 44:2 47:13 55:10 73:12 77:9 100:9 106:3 108:17 116:3 142:15 chance 75:10 changed 103:11 143:9 changes 130:19 changing 89:14 105:8 charge 80:18 81:2 149:12,17 Chartered 9:19 check 46:17 83:22 checking 53:15 138:3 chief 125:22 China 56:2 Chow 136:11 Christian 26:13 34:13,14,24 69:22 69:23 70:8 71:10,18,21,22 73:5 73:25 74:7 77:10 79:19 101:8,9 101:11,14 102:12 128:7 135:22 138:10 Christian's 35:3 circle 111:11 circling 66:23 clarify 18:18,23 49:2 57:20 110:14 clarity 28:12,24 cleanly 133:2 clear 22:15 25:10 29:8 42:19,21 44:13 49:5 50:25 51:5,15 61:4 128:23 131:15 138:12 clearly 84:23 click 69:2 client 12:10 70:12 71:12 clients 11:25 12:9 closed 94:3 collaborate 47:17 colleague 136:25 colleague's 35:4 colleagues 34:12,24,25 collecting 14:14 collectively 47:16 college 8:24,25 9:2,9,10 10:19 come 30:11 117:22 131:8 140:21 144:12,14 147:13 comfortable 142:13 coming 29:6 56:4 68:23 71:5,7 84:12 105:8,14 comment 76:10 121:17 commented 118:18 comments 118:16 119:19
---	--	---

C

C 2:2 151:2 153:2,2
call 9:24 17:24 18:3,4,6 27:19,21
97:6,11,14 112:13 114:4
called 9:9,19 11:15 12:8 21:7,11,18
21:21 81:7 107:22
calls 24:7 70:5,23 97:7
cameras 137:10,13 139:22,24
140:5,9,12,13,15 141:3,10,12
cap 131:18,19,22,25
capabilities 88:12
capability 46:22
capital 16:14 22:22 23:8 24:18
29:11 47:13 129:22 132:3 142:3
142:23,24 143:4,9
care 20:11 150:8
careful 20:14
case 6:12 15:24 48:13 51:14 113:13
113:14
cash 83:2 129:14,25
categories 35:24 40:21 91:10
category 36:14 41:10,25 55:17
caveat 55:17,23 56:20 57:24 58:18
59:10,17,20
caveats 41:24 42:6 55:11

<p>Commerce 8:21,22,23 9:10 communicate 56:20,22 58:8,13,18 81:6 communicated 16:15 39:22 56:24 58:6,12 59:16,20 81:7 communicating 40:7 58:10 81:12 147:7 communication 40:5 communications 95:5 companies 11:8,9,18 36:10 45:3 122:25 143:14 149:2 company 10:20,23,24 11:7,12,15 11:16,20 12:7,20 14:19,20,22 20:12,15 21:7,11 22:15,16 23:6 40:22 43:17 47:3 52:15 53:4 54:4 54:20 58:2 59:24 63:22 66:17 67:24 76:16 78:24 79:5 85:16 107:13,16,18,25 108:5,11 115:19 125:23 127:18 137:11 140:18 141:4,25 142:8,20 143:3 149:2 company's 107:21 compensated 149:4 competing 78:21 competition 43:18 77:20 competitor 78:9 competitors 43:9 44:23 77:18 complete 151:11 completed 7:2 37:18 82:4 133:4,7 completely 7:22 compliment 39:15 comprehensive 101:2,24 103:5 compressed 89:23 concern 68:25 71:14 74:4 91:16 concerned 96:7 concerning 91:10 concerns 89:8,11 96:4 97:18 concluded 150:11 conducted 4:5 conference 1:17 4:6,10,13 5:12 138:15 146:6 conferences 37:22 conferencing 116:5 confident 125:24 126:6 confirm 31:15 114:5 confused 81:8 connect 71:11,24 connected 22:5 connecting 71:25 consent 4:15 5:6,7 consideration 147:21 considered 4:16 78:9,15,17 considering 39:8 40:2 78:21 147:17 consolidated 56:5 consolidation 55:18 56:12 constantly 46:10 126:23 consultant 15:13 44:9,15 102:5,19 consultants 24:13 consulting 11:24 12:18,19 44:11 148:19</p>	<p>consumers 47:18 container 56:17,17 119:14 122:3 122:18 containers 56:4,15 content 73:12 86:15 contents 45:13 61:8 86:13 continual 104:22 continually 105:24 continue 74:2 93:23 112:14 117:16 144:11 CONTINUED 118:3 contribution 143:2 control 4:11 87:2 controlling 41:25 conversation 13:16 23:14 27:22 28:4,7 39:11,19 45:11,21 58:23 63:17 68:19 71:10 74:14,15 75:7 75:11 80:5 81:3 88:6 94:4 96:17 97:17,18 104:14 105:6 114:19 137:23,24 141:7 144:20 146:12 146:17,19 conversations 24:9 38:10 59:2 68:20 70:2,8 86:7,12 96:11,15,19 97:5,16 133:8,12 144:16 convicted 8:13 coordinating 20:6 copied 27:19 copy 31:19 correct 15:23 25:15 44:10 48:14 82:9 101:22 115:5 116:10,15 119:16 121:4 128:24 147:14,15 148:16 151:11,13 correctly 27:25 66:9,15 142:10,22 cost 56:19 counsel 3:6 4:4,8,21 5:9 count 111:10 counted 111:17 COUNTY 151:5 couple 13:4 28:6 127:19 course 21:12 48:15 83:14 103:4 court 1:2 3:17 4:2,7,11,22 5:9,21 5:24 6:22 7:4,12 10:14 13:6 29:2 132:25 cover 47:11 covered 36:20 56:14 149:18 create 127:19 131:5 created 51:2 107:19 119:13 123:17 124:3,9,11 125:5 128:19,24 creating 15:8 credit 20:23 21:2 crime 8:13 critical 95:9 customer 15:11 cut 74:3</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D 5:17 151:2 152:2 Dahiya 13:21 26:12 49:25 79:19 82:25</p>	<p>daily 46:9 47:11 dark 47:9 88:12 data 30:17,20,21,24 48:16,19,24 49:3,4,6,8,13 53:13 55:5,8 68:11 84:10,12,15 86:23,23 90:13,14,14 90:18,19,21,22,24 91:4,12,25 92:6 93:6,7 94:2 98:3 101:3,3 103:8,9,13,14,16,18,21 104:2,5,8 104:11,15,17,18,18,20 105:7,8,14 105:17,24 date 1:18 5:3 18:14,15 19:22,23 25:24 30:2 31:10,24 32:12 33:21 49:21 53:11 55:2 60:10 62:4 63:3 67:6,17 72:25 73:19 79:15 81:25 82:22 84:5 86:6 90:19 95:19 99:25 103:2,7 117:2 118:11 127:3 127:16 132:22 134:23 145:12 152:24 dated 26:2 30:4 32:15 60:15 62:7 73:6 82:8 100:6 102:14 113:25 dates 18:11,12 19:7 67:20 78:6 David 24:12 DAVIS 2:9 day 50:19 140:2 151:19 153:19 days 13:3,4 41:3 56:9 67:22 70:24 75:18 dead 31:13 deadline 82:3,12,16 deadlines 89:12 deal 53:21 74:3,24 92:13 95:21 139:18 143:13 148:4 dealing 20:15 Deborah 35:4 135:25 decide 46:25 decided 113:16 144:11 decision 44:7,8 47:9 112:20 113:11 120:20 145:5 147:4 dedicated 87:12,15,16 91:20,21 94:19,22,25 95:3 deducted 15:10 deductions 15:9,12 defendant 1:15 2:9 8:7 defendants 1:10 5:8 definitely 87:19 123:20 degree 8:24,25 dense 83:4 department 15:7 deposed 6:13 deposition 1:14 4:5 6:16 12:24 13:10,23,25 14:7 151:9 153:7 describe 10:17 12:3 describing 11:17 DESCRIPTION 152:8 detail 86:19 96:13 119:8 123:19 detailed 120:8 detailing 91:21 details 50:8 52:7,19 53:20 determined 148:3 determining 109:2</p>
---	--	---

develop 87:4 130:17
developed 117:7 120:16 121:12,15
 121:18,21 122:16 129:5 130:16
 131:22 132:10,13
developing 97:22 98:16 120:23
 123:6
diamond 11:11
differences 138:23 144:10
different 11:8 18:11 19:7 36:2 49:6
 65:24 67:25 73:11 77:5 86:16,25
 93:2,3 102:11 147:23 148:5,9
difficult 7:6 67:19 70:22 76:7,12,14
digging 55:8
diligence 23:25 37:21 38:2,5,13
 48:6 83:25 84:17,19 85:2,5,17
 90:14 92:22 132:5,7,10 133:5,24
dining 64:8
dinner 21:19,22 26:19,21 33:10,14
 33:15,17,19,22 34:5 135:21 136:3
direct 47:4,6 105:25 122:3,20
directing 119:14
directly 58:9 71:13 106:20 107:7
 112:21
disagree 88:19
disciplinary 10:10,14
discipline 76:17
discuss 8:19 39:7 63:14,19 80:9
 141:19 144:23 146:13,15
discussed 27:13 35:12 59:22 63:11
 63:20 64:22 141:24
discussing 63:15 102:4 109:12
 141:22
discussion 87:11 139:9 142:9
discussions 112:17
disintegrate 48:9 86:24
displayed 25:17 29:21 31:18 32:9
 49:18 60:7 61:25 69:18 72:22
 73:16 77:4 79:12 82:19 99:20
 118:8
distinction 18:24
distinguish 119:23 121:8
distinguishing 96:16
DISTRICT 1:2,2
document 25:20,23 29:22,25 30:5,6
 31:23,25 32:2,4,6,11,13,21 33:5
 49:20 50:3 60:9,11,15,17,23 61:6
 62:3,5,10,12 69:19 72:24 73:2,8
 73:11,18,23 77:7 79:14,16,22
 82:21,23 93:16 99:22,24 118:5,10
 125:5,8 127:6 128:17,23,25 129:5
 130:5,25 131:2
documents 13:24 14:15 25:19
 61:14 64:23 93:5 104:7
doing 11:24 23:22 35:15,18 36:6,7
 37:20 44:3 63:21 64:20 71:7
 85:15 92:10,16 93:3 94:20,20
 96:14 97:19,20 98:15 99:2 122:21
 122:22 129:8 133:9 139:12
dollar 76:16 129:24

dollars 22:24 48:9
DOM 41:23 55:22 59:6,10,14 62:11
 73:7 77:7 79:20 83:4 100:7
 118:15 123:9,17,23 124:3,6,9,11
 124:15,22 125:4 152:9,12,13,14
 152:15,16,17,18,19,20,21
DOM's 124:19
DOM10791 26:3
DOM2770 32:17
DOM2783 50:2
DOM2800 60:16
double 69:19 149:19
doubt 39:10 66:20,21
download 149:16
downloaded 90:21
Dream 1:9,9 6:12 12:8 14:17,18
 15:5,14,25 16:3,7,21 17:2,4,6,11
 19:13 20:4,17 22:8,12,20,25
 23:15,20 25:12 28:9,16,19,21
 29:12,17 30:23 31:7 35:17,20
 36:16 37:2,13,18 38:2,12,23 39:4
 39:8,21,23 40:2 41:15 42:24
 43:19 44:9,16,23 45:2,3,12,15,16
 45:22 46:14,21 49:12 52:21 53:6
 53:9,16,24 54:11,17 55:3 56:24
 57:24 58:11 59:19 61:13,21 63:24
 63:25 66:18 68:4 70:5,17,21
 71:11 72:9 74:23 76:5,8,25 79:4
 80:17 81:15 82:11,15 84:18 85:3
 85:20 87:16,22 88:15 90:5,17
 91:11,24 94:14,24 95:21,24 96:7
 97:21 99:3,7 102:18 103:5 104:25
 105:4 107:16 109:3,9,13 110:2,25
 111:19 112:17,18 113:19,22
 114:20 116:8,18 117:3 120:15
 121:11,13,14 122:15 125:8,20
 126:19,25 127:17 128:24,25
 129:4,9 130:14,15 131:21 132:9
 134:10,16,21,24 135:8 137:21,22
 138:13 141:25 142:14,19,22
 144:4 145:5,11 146:5,13,21 148:8
 148:20,23 149:7,10,20

driven 47:22
driver's 5:16
Dropbox 61:9,11,17,20 68:13 69:2
dropped 114:7
due 23:25 37:21,25 38:4,13 48:6
 83:25 84:16,19 85:2,5,17 90:14
 92:22 132:5,7,10 133:4,24
duly 5:18 153:8

E

E 2:2,2 151:2,2 152:2,7 153:2,2
earlier 19:4 48:25 85:4 86:16 91:18
 104:24 105:15,20 119:15 128:7
early 25:14
education 8:20
effect 3:16
Effie 100:3

eight 94:7 134:5
either 97:14 121:10 153:14
email 25:25 26:4,11 27:3 30:3,9,11
 31:2,20 32:14,18,18,20 33:23
 40:9 43:7 45:6,7,13 48:23 49:22
 49:24 53:11 55:10,15 57:7 60:13
 60:18,19,19,21,23 61:8 62:7,18
 66:7 67:8 68:10,17,21 69:4,22
 71:9,19 73:5,11 77:6,8,9 79:18
 81:17,20 82:8,13,24 83:5,19,22
 84:6 85:10 86:10,13 90:19 93:13
 93:15 95:20 97:10 100:2,11,12,19
 102:14,22 103:2,7 104:24 105:15
 105:15,19,20,21 106:2,3,8,15
 107:2 108:16 113:25 114:2
 115:12 116:2,3 118:13,13,17
 119:6,10,11,16,19,20 120:2 124:5
 125:4 127:3 149:7,14,15 152:9,10
 152:12,13,14,15,16,17,18,19,20
 152:21
emails 14:2 68:23,24 85:13 96:13
 128:7
emphasize 87:12
employee 15:14
encourage 71:13
encouraged 74:13 75:7
ended 146:11
engage 43:13
Englander 62:9 65:13,16 66:13,17
 67:2
English 66:2
entering 57:25
entire 15:25 86:24
entities 77:25 78:21 103:20
entry 149:15
equal 143:14 147:3
equally 145:3
equipment 54:7
eroding 47:7
Ervin 10:25 11:10
ESQ 2:6,11 6:6 118:4
essence 74:22
estate 102:11
et 106:6 122:4
evaluate 89:20
events 28:25
everybody 41:2 79:9 103:22 109:22
 110:7 112:13 141:12 149:13
everyday 29:5 47:7 68:23 103:11
 114:8 116:4
exact 59:2 99:8 110:12
exactly 12:13 18:15 34:13 64:4
 67:22 119:12 129:12 135:10
examination 3:7,14 6:5 118:3
 150:11 152:4
examined 5:20
exchange 81:24
exclusivity 55:18
execution 94:11

<p>exercise 20:7 54:23 exhibit 25:17,21,24 29:21,23 30:2 31:18,21,24 32:9,14 33:2 49:18 49:21,23 60:7,10,12 61:25 62:4,6 69:18,20 72:22,25 73:3,4,16,19 73:20 77:4 79:12,15,17 82:19,22 82:24 83:11,16 99:20,22,25 106:4 118:8,11,13 119:3 152:9,10,11,12 152:13,14,15,16,17,18,19,20,21 existence 21:17 140:19 exit 142:6 143:10,19 expenses 15:12 experience 17:5 28:17 35:21 36:13 39:16 41:17,20 43:25 76:11 109:5 142:15 expert 86:21 102:9,9,10,11 experts 94:9,15 explained 74:18 explore 23:9,23 exploring 63:9 64:6 exponentially 56:19 exposing 95:15 96:8 exposure 86:16 express 4:15 23:2 35:17 36:16 89:4 expressed 36:5 89:7 expressing 41:14 extended 122:4 123:3 extensive 84:3,7 extent 122:5</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>F 153:2 Fabriaant-Tara 11:13 face 35:7 facilitate 24:7 28:2 facilitating 16:17 70:4 facilitator 16:9 75:16 fact 5:13 27:6 96:7 121:23 128:2 137:25 fair 15:20 34:2 35:9 64:11 102:24 103:4 136:17 140:20 Falcon 2:4 6:10 Fantasia 153:4,22 far 41:11 107:19 FEDERAL 3:2 fee 106:7 107:9 108:14 feed 138:19,20,21 139:8 feel 39:3 43:24 142:12 feet 56:14,15 felt 36:2 Feuer 26:13 34:14 71:21 135:23 fields 86:17 filed 20:22 filing 3:7 17:20,23 18:2,20 19:2,3,4 19:10 filled 56:18 final 68:7 125:2 finance 59:8 92:19 financial 24:11,13 53:10 54:14 57:3</p>	<p>57:22 90:25 91:6 92:3,9,12,20 93:6,19 97:23 100:21 101:2,24 102:6,9,19 103:6 113:15 117:3 127:13,17,22 128:12,19 financials 92:2 find 72:15 fine 7:22 25:10 99:18 finish 132:24 finished 11:17 118:21 firm 6:10 85:17 100:25 101:21 first 5:18 10:18,24 11:10 21:16 26:2,23 32:16 33:9 50:2,7 52:6,23 55:14,17 57:6 83:3,21 100:6,10 109:4 110:2 118:14,19 119:7 129:17 140:2,2 143:18,19,24 fit 23:24 five 42:20,20 54:13,21 56:9 69:12 70:24 127:13 flow 83:3 129:14 focus 26:23 40:16 147:19,24 focused 95:10 focusing 30:9 following 48:2,4 92:25 follows 5:20 114:2 footing 58:4 force 3:15 Forest 6:3 form 3:10 22:8 90:25 formal 82:3 formalizes 148:23 forth 153:8 forward 86:4 128:16 134:6,10,16 four 34:25 58:3 111:7 112:9,11 128:20 freight 56:2 Friday 82:5 Friedland 66:7,24,24 front 14:12 142:14 fuck 145:15 full 41:22 56:5 73:22 88:23 fully 30:16 95:10 132:13 function 86:24 functions 47:14 59:6 102:11 funding 47:13 furnishing 11:20 furniture 14:19,20 16:22 17:2,14 20:19,20 21:6,6 35:22 36:3,15 43:25 54:7 55:25 74:13 further 3:9,13 4:12 41:21 64:6 124:7,9,16 153:13 future 5:3 93:20 128:21 142:20</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>G 5:17 151:2 Gandhi 1:15 5:13 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1</p>	<p>34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1,9 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1,19 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1 126:1 127:1 128:1 129:1 130:1 131:1 132:1 133:1 134:1 135:1 136:1 137:1 138:1 139:1 140:1 141:1 142:1 143:1 144:1 145:1 146:1 147:1 148:1 149:1 150:1 Garguilo 35:4 135:25 general 43:23 85:12 generally 14:8 91:19 gentleman 126:22 136:8 getting 20:13 42:14,17 46:9 54:6,6 54:7 103:10 107:12 141:3 143:13 GG 60:24 152:10,11 GG8791 32:2 GG9434 30:6 Ghandi 5:23 151:7,17 152:5 give 25:5 given 128:4 140:19 151:13 153:11 giving 24:14 glanced 125:14 Global 1:3 6:12 21:8,11,15,17,22 21:24 22:3,6,9,11 23:4,6,12 27:25 30:21,24 34:7,12 39:9,22,23 49:4 50:15,16,18 51:3,12 52:3 53:7 54:2,3,10 56:21,24 57:4,9,11,15 57:23 58:7,12,19 59:17,20 60:14 68:5 71:20 74:3,24 78:4,5 94:7 98:13 134:21 135:19 137:23 138:2,14 139:3,5,9,15,17 141:6 141:10,25 142:11,23 144:21 145:11 146:14,21,23 147:8,18,20 148:16,18 Global's 142:25 go 1:3 6:12,15 21:8,11,14,17,22,24 22:2,6,9,11,19 23:3,5,12 27:24 30:20,24 34:6,12 39:9,22,23 43:15 46:15 47:18 49:4,8 50:5,15 50:15,18 51:3,12 52:2 53:7 54:2,3 54:10 56:21,24 57:4,6,9,11,14,23 58:7,12,19 59:17,20 60:14 68:5 69:11 71:20 73:21 74:3,22,24 78:4,5,17 84:10 91:12 94:6 98:13 103:25 109:16,24 111:11,12</p>
---	---	--

113:3,23 114:14 116:19 117:13 134:5,10,16,21 135:19 137:23 138:2,14 139:3,5,8,15,17 141:5,9 141:25 142:10,23,25 144:21 145:11 146:14,20,23 147:8,18,20 148:15,18 149:2 goal 141:20 goes 56:19 80:7 going 6:15 7:18 13:5 28:13,25 37:23 41:21 42:19 45:16 47:15 52:16 54:8,20,24 56:11 59:13 64:14 67:23 68:23 69:10,11 70:10 71:14,24 74:4 77:5 90:13 109:21 110:6 112:12 115:10 118:5,12 123:19 133:8 142:8 148:4 good 6:7,8 21:5 23:9,23 36:13,24 42:24 43:5 65:11 80:4 85:24 86:3 101:10 144:9 gotten 149:15 gradually 105:16 graduate 9:17,21 granted 30:16 great 41:15 GREENBAUM 2:9 Gregory 100:4 ground 6:15 grounds 144:18 guess 12:14 18:21 guys 145:16	Highway 2:5 Hills 6:3 hire 19:15 85:17 100:25 101:20 109:5 hired 97:25 102:18 126:23 129:10 129:11 hiring 102:4 134:13 historical 93:18 128:15 history 8:20 10:18 76:10 hold 13:11 home 11:20 Honestly 119:7 horse 31:14 115:19 hour 67:23 hours 76:20,22 111:7 149:5 house 107:17 HR 91:5 92:2 102:10 huge 56:3 human 47:13 humungous 76:13,15 hundred 22:24 45:2 110:8,18	informed 18:5 75:2 inherent 47:14 initially 64:5 Institute 9:19 insufficient 47:8 insurance 20:24 21:2 intellectual 99:13 interest 72:15 interested 20:18 22:3 37:6,7 39:20 64:5,12 70:13 78:16 79:10 153:16 interests 26:9 internal 20:8 37:20 88:10,12,16 89:4 internally 54:24 55:3 84:2 interpret 124:21 introduced 21:24 98:13 introducing 35:14 58:21 investment 40:10 41:24 42:3,7,10 42:13,14,17 43:6 50:8 52:7,24,25 53:17 58:5 95:13 107:3 investor 50:9 52:8 66:11,17 investors 24:16,17 66:9 148:13 involved 38:15 46:9 59:6 108:4 109:2 involvement 47:12 IP 54:6 148:12 issues 47:10 87:17 141:21 item 50:7 52:6 54:13 items 50:5
<hr/> H	<hr/> I	<hr/> J
H 5:17 9:9 152:7 half 56:4,18 114:13 hand 153:19 happen 28:13 70:10 93:24 happened 21:4 26:25 27:12 58:25 59:3 67:15 68:4 109:14,18 134:13 147:22 happening 19:7 20:10 29:5,6 48:7 67:10 89:13 103:12 134:3 140:16 happens 69:10 89:16 happy 7:11,12 145:9 head 6:21 Health 114:8 116:5 hear 64:25 65:19 145:18,22 heard 21:7,10 64:9 66:4 143:17,18 143:25 144:5 145:20,24 held 1:17 60:4 142:11 help 44:19 54:25 87:5,8,20 88:13 helping 15:6 44:13 helps 94:22 hereinbefore 153:8 hereto 3:5 hereunto 153:19 Hi 30:15 33:9 77:10 83:22 high 38:9 47:6,22 48:5 92:15 116:18 higher 110:15 highlight 90:11	Ian 100:3 108:23 112:21,23 113:2 113:25 114:4 115:9 116:3 iconic 40:13,24 79:10 ID 152:8 idea 37:11 53:17 68:18 69:6 77:18 77:23 86:3 identified 42:22 imagine 56:2 implicit 124:13 import 122:3 important 55:24 importing 122:20 in-person 68:4 75:11 96:20 97:5 134:20,24 136:4,5 inability 83:25 incite 94:21 include 51:21 148:15 including 55:18 95:14 increase 115:6 increased 114:12 116:14 independent 121:15 independently 121:12 Index 1:6 India 9:3,5,6,20 10:20,24 indicate 146:22 indirectly 83:23 INDUSTRIES 1:9 industry 24:4 inform 75:3,5 information 9:24 16:16 17:20 35:11 51:10,11 52:12,14,20,22 53:7,14,25 54:11,18 55:4 58:18 61:14 81:24 84:12,14 90:2,6,9 91:4,10,14 95:11,15,25 96:8 98:10 104:21 105:2,5 107:15 121:9,11,14 130:21	Jack 32:15 49:25 135:16 144:20 146:12 Jacob 62:8,19,21 63:11 64:2,11,16 66:10 67:2 100:4 106:2,7,10 113:6 114:3 Jacob's 113:11 Jeff 136:7 Jennie 1:18 153:4,22 Jersey 2:10 jewelry 140:21 job 10:18 94:20 jobs 12:3 Joey 135:13,14 join 43:9 44:23 Joseph 66:7,23,24 July 99:10 134:14 jump 134:19 June 19:11,19 25:14 26:2 27:2,3,4 28:5 30:4 31:10 32:16 33:19,23 37:12 38:22 39:7 48:23 49:24 50:18,19,20 51:3 52:3 58:13,17 58:20 60:15 62:8 67:16 73:6 81:15 82:6,8,11 85:21 90:7 95:20 100:6,11 102:14,25 106:2 114:2 120:17,24 121:16 122:17 125:21 126:21 131:23 132:11,21 133:3 134:9,13,22 135:3 139:8 140:24 141:18

June/July 18:17	known 19:4 29:9 81:18 knows 101:11	LLC 1:3 LLP 2:9 locations 4:8 130:2 log 149:12 logically 59:3 logistics 80:19 long 41:6 75:20,22 76:20,22 105:20 longer 69:12 look 19:16 44:14 70:12 91:2,11,25 92:23 93:5 100:10 looked 91:5 93:8 105:7 122:19 130:10,13,25 131:2 looking 15:7,8 19:17,24 21:5 22:13 22:19,21 24:16,20 37:8 43:4,5 52:25 54:21 77:8 91:13 92:12,19 93:20 94:9 129:14 148:5,8 149:11 looks 31:10 82:13 108:3 129:15 lose 43:10,16 loses 44:24 losses 56:3 lot 20:20 28:14 29:11 47:2 48:10 76:17 90:2 91:3,9,14 95:4 118:20 133:9 LRP 60:24 lunch 117:12 luncheon 117:25
K	L	M
K 151:2 Kathleen 26:6 27:23,24 28:9,16 34:22,23 39:25 136:21,25 keep 65:8 75:15 kept 75:16 102:7 Kilgallen 1:19 153:22 kind 15:4,11 20:9 42:12 45:3 46:23 54:18 58:4 74:9 84:16,19 87:8,10 148:22 kinds 93:2 knew 14:3 24:20 35:24 41:11 48:11 67:22,25 77:20 80:14 81:15,19 140:23 know 7:15,21 13:12,15,15,22 14:9 14:18 16:14 17:4,24,25,25 18:13 19:13 20:17 21:5,23 22:11,14,21 23:11 24:5,10 25:3 26:21 27:4,18 29:6,16 30:23 31:7,9,12 34:13 35:3 36:3,19,25 37:10,13,16,17 37:21,25 38:12,14,15,17,25 39:6 39:16,18 42:15 44:13 45:22,24 46:21 48:7 49:11,15 50:14 51:6 52:11,13,14,16 53:2,6,8,9,16,19 54:5,8,10,12,20,24 55:2,6 56:8,23 56:25 58:6,11,22 59:9,16,19,23 60:20,22 61:13,15,17,19 62:21,22 62:23 63:5 64:4,14,22 66:7,10,12 66:16 67:4,15 68:3,7,9,16 69:23 70:23 71:18,23 72:6,8 74:7,10 75:23 76:9,14,19,24 77:2,11,14 77:17,22 78:3,7,8,11,13,20,24 79:2,24 80:12,23 81:15,22 82:15 82:17 84:8,9,18,21 85:2,14,23 86:9,20,22 87:8,11,18,21 88:22 88:25 89:14,19 90:8,8,17,20 91:24 92:5 93:11 94:3,17,24 95:2 95:19,24 96:2 97:9,19,21 98:5,7 98:12,14,18,21 99:6,10,12,16 102:22 103:20 104:4,7,20,25 105:3,4 106:10,21 107:5,12,16,21 108:10,13 110:24 111:4,9,19,22 111:25 112:4,8 113:9,10,13,14,17 113:19,22 114:21,25 115:6,13,16 115:25 116:11,18,21,24,25 117:3 117:8,10 118:21 120:15,22 121:23 122:15,23 123:9,16,18 125:4,20 126:3,19,25 127:4,16,21 128:2,5 129:4,5,11,19,25 130:8 130:15,20,23 131:3,7,7,12,13,14 131:15,21,24 132:9,13,15 134:2 134:12 135:18,22 136:7,10,13,15 136:17,19 137:13 139:17,22,24 140:5,8,9,10,11,22,24 144:6,11 144:19 145:4,9 146:5 147:2,17 149:6,18 knowledge 5:11 41:19 91:24	learn 18:8 19:9 21:16 139:20 learned 18:25 19:12 140:3 learning 109:4 lease 92:2 leases 91:6 leaving 137:21 left 40:23 117:13 138:13,14 144:21 legal 57:3,10,22 91:5 92:2 102:9 lengthy 83:5 100:9 Let's 30:8 100:8,10 117:22 118:19 120:10 135:8 level 38:9 86:25 license 5:16 11:14,16 licensee 11:19 licenses 10:4 licensing 10:11 lifetime 40:11,17 line 33:9,12 79:6 123:6 124:6 lined 42:9 lines 48:2,4 link 27:7 60:15 61:9,11,21 68:11,14 69:4 list 50:7 51:11,15 55:11 114:7 listed 52:24 Listen 81:8 listening 64:13,15 litigation 4:19 14:15 little 16:20 19:21 41:21 73:21 89:8 live 138:19,20,20 139:8 Livingston 2:10	M 5:17 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1,5,7 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1 126:1 127:1 128:1 129:1 130:1 131:1 132:1 133:1 134:1 135:1 136:1 137:1 138:1 139:1 140:1 141:1 142:1 143:1 144:1 145:1 146:1 147:1 148:1 149:1 150:1 151:2 152:5 main 95:5 maker 145:5 147:4 making 46:18 106:5 manage 86:25

management 46:16 47:16 106:6,12 107:3 142:17,20 manager 66:14,21 managing 23:7 59:13 143:3 mandatory 110:8 manner 4:14 manufacturer 17:12 manufacturers 16:22 Manufacturing 16:24 mark 13:19 21:21 25:21 26:12 29:23 30:17 32:15,18 33:10 34:17 34:18 38:15,18 45:5,8,19 46:2 49:23,24 51:25 60:14 62:9 63:15 66:25 73:4 74:12 75:4,5,12 79:17 79:18 80:24 82:24 83:2,22 86:19 87:14 91:22 95:6 100:4 104:11 106:6,24 107:8,12 109:7,8 115:9 118:14 132:18 133:4 135:9 139:7 143:11 144:20 145:6,9,15,20,24 146:12,22 147:4,7,16,17 Mark's 34:18 108:10 112:20 135:10,11,12,16 148:18 marked 25:23 29:25 31:23 32:11 49:20 60:9 62:3 72:24 73:18 79:14 82:21 99:24 118:10 market 67:24 marketing 120:7 125:16,18,21,22 126:4,7 130:2 marking 73:20 marriage 153:14 Masters 8:22 materials 149:17 matter 94:16 153:17 Matthew 26:12 137:3 max 113:7,9,11 maximum 56:13 Me's 20:4 23:15 38:23 110:25 146:13 mean 42:6,11 43:12 92:7 122:24 139:13 Meaning 42:8 means 91:21 106:21 114:25 124:24 meant 15:17 medication 8:15 meet 23:9 63:2,4 meeting 4:10 13:8 21:14 26:7,17,24 26:25 27:8,14,17,18 35:12,13,19 36:18,19,20,21 37:13 39:8 50:19 50:20,21 51:3,4 52:3,5 57:17,18 58:14,17,20 59:22,25 60:2,4,5 64:17,23 65:10,11,14,17 66:25 67:4 68:3,5,8 74:14 75:8 96:10 106:14 134:21,24 135:5,7 136:4 136:14,18 137:5,6,14,17,20,21 138:6,13,14,18,19 139:9,21 140:4 140:12,25 141:6,10,18,22 142:9 143:6,25 144:8,21 145:12,13 146:11 147:16,21,22,24 148:3 meetings 13:6 24:7 26:19 37:24	146:6 memory 8:16 13:4 35:9 mention 124:19 mentioned 34:21 92:14 122:13 124:14 mentioning 115:11 121:2 123:24 merchandise 123:5,5 merchandising 59:7 message 70:18,20 messages 40:8 70:6 met 26:19 27:4 50:15,15,17 62:22 62:24 63:5,11 Milan 1:14 5:13,23 6:7 18:23 25:19 30:7,17 32:15,19,20 60:13,17 62:9,12 71:11,12 73:6 77:9 79:19 79:22 80:5 82:25 83:22 87:5,14 89:13 96:22,24 100:2 106:4 118:14,17 131:11 150:5 151:7,17 Miller 11:19 million 22:24 110:10 114:6,12,16 114:25 115:20 116:9,22 129:16 millions 48:9 115:2 Mills 10:25 mind 18:24 43:3 mindset 44:13 87:10 Mine 120:7 minimum 110:16 minute 69:13 missed 82:11,15 misunderstood 57:19 66:5 model 24:11 60:24 83:3 95:21 97:23 98:16 100:22 101:2,25 102:6,19 103:6,10 117:4,5,6 143:15 144:2,5 models/deal 95:13 moment 73:12 Monday 62:7 money 15:10 54:9 113:17 142:6 143:11,12 145:2 148:14 monitor 46:10 monitoring 46:23 months 11:21 58:25 89:20 129:17 morning 6:7,8 mortars 41:8,9 move 86:23 121:25 movements 6:20 moving 29:3 67:21 69:8 86:4 128:15 multiple 67:20 112:15 MURPHY 2:11 5:7,14 15:17 18:18 69:14 96:25 131:11 140:22 150:2	names 34:9 41:18 102:22 Natori 11:15 nature 70:7 NDA 30:16 31:2,3,14,19 103:23 152:11 NDA's 95:14 necessarily 51:13 necessary 33:10 need 7:10,16,21 14:9 15:17 24:18 28:15 29:10 46:8,16,19 51:16 52:13 53:18 61:3 74:3 80:15 81:9 81:11 85:14,16 86:16,20 87:12,15 91:20 94:18 95:11 102:9,10 109:23 111:14 117:18 129:15,24 132:20 147:2 needed 24:24 28:10 95:12 100:23 102:8 needs 23:15 41:23 80:16 negotiations 55:19 never 17:6 28:19 32:4,6 38:19 61:18,20 84:8 96:6 108:7 141:7 new 1:2,20 2:5,10 5:20 6:4 15:8 47:16 66:17 104:21 105:8,14,16 105:23 122:21 123:5 140:18 151:4,22 153:5 Newco 46:10 47:12 nicely 47:17 Nicole 11:19 night 80:5 NJ 5:16 No.1:23-cv-07987 1:6 nod 6:21 Notary 1:19 3:15 5:19 151:22 153:4 note 144:9 notes 14:6,9,11 Notice 1:17 November 153:20 number 26:3 30:5 54:13 60:16 62:11 73:7 77:7 89:15 97:15 100:7,21 110:22 111:17 113:23 118:15 120:5,6,10 126:15 127:13 130:2 132:5,6 134:5 149:5 numbers 31:25 32:16 85:8 89:14 92:4,8,9,13,20,23 101:12 103:10 129:20 130:4 131:8,16
O		
O 151:2 o'clock 116:17 oath 8:3 151:9 objection 4:25 5:3,5 objections 3:10 obligations 51:8 obviously 59:21 occur 135:3 occurred 33:15 67:5 October 1:12 151:10 offer 138:24 148:18		

<p> offering 123:4 office 60:4 134:25 139:12 140:18 officer 125:23 official 81:24 149:14 okay 13:14 17:8 26:21 27:6 29:19 30:15 32:7 35:6 57:19 66:5 72:2 75:14 83:9,18 84:22 96:21 102:14 105:13 110:20 117:17 119:9 121:25 124:23 126:19 131:18 132:21 134:5 135:4 139:20,20 141:5 once 40:11,17 53:4 111:23 144:10 ones 96:17 open 30:8 61:4,6 opened 61:20 opening 111:2 operate 24:20 74:11 129:23 operating 126:16,20 127:2,9,22 129:16 operations 48:10 142:12 opinion 28:21 39:3 41:19 opportunity 36:24 40:11,12,17 41:15 47:7,22 63:21 64:12 option 19:24 138:22,23 options 19:17 144:25 148:6,9,11,12 148:15 Oracle 48:8 order 37:14 101:24 110:15 organization 9:19 origin 56:6 originally 143:8 outcome 153:17 outlined 70:9,11 outside 17:14 97:25 98:3,7 99:3 100:25 101:21 102:5,18 129:7,9 130:18 outsourced 117:9 owed 115:21 owners 40:12 ownership 50:9 52:8 53:4 132:4 owns 107:13 </p>	<p> participated 16:4 participating 4:9 24:8 48:14 78:12 142:17 participation 44:17 52:17 particular 23:12 29:4 55:23 57:24 91:16 104:10 particularly 76:7 parties 3:5 4:4,16 28:3 33:11 35:14 39:14 51:17 70:25 74:19 77:22 81:13 95:25 109:20,20 110:5 138:25 144:17 146:20 147:12,24 153:15 partly 123:13,24 partner 19:18 22:13,21 23:3,16 24:20 57:25 partners 22:19 23:19 58:3 95:11 partnership 22:8 71:15 72:4 party 37:23 42:15,16 51:8 68:20 passed 16:16 passing 98:3 Pathania 26:13 30:4 pattern 59:9 pause 69:16 73:14 100:17 117:21 118:24 paying 54:5 56:9 penalty 8:3 pending 7:24 penultimate 72:3 people 20:8 21:18,20 26:11,17 27:20,20 31:9 34:6,7,10 38:14 42:20 44:14 45:18 46:9 47:2 58:19 67:24 74:10 75:17 76:24 77:25 79:3 81:6 84:14,24 85:6,8 85:16 86:3 87:20 88:24 93:2 94:19 97:19 100:22 102:13,21 111:8 128:11 130:2 131:5 135:20 138:10 140:14 144:7 percent 50:9 52:8 143:19,20 percentage 132:3 performance 93:19 106:7 107:9 108:13 128:15,20,21 performed 25:12 29:13,17 39:4 85:20 performing 38:2 period 29:4 perjury 8:4 person 71:20 96:18 97:14,25 98:3,5 98:7,19,21,25 99:2,6 110:11 111:13,14 129:7 130:18 136:2,10 136:15 148:25 person's 66:6 personal 12:22 41:18 personally 62:22 personnel 137:22 perspective 46:25 PFA 30:16 philosophical 46:19,20 phone 70:23 75:13 96:11,16,20 97:6,11 109:21 110:6 </p>	<p> phrasing 40:16 physical 6:20 physically 4:24 picture 73:22 78:6 piece 20:13 39:20 52:19 pieces 100:10 place 44:5 47:18 95:10 138:9 plaintiff 1:5,16 2:4 6:11 8:6 Plaintiff's 25:23 29:25 31:23 32:11 49:20 60:9 62:3 72:24 73:18 79:14 82:21 99:24 118:10 152:8 plan 56:12 94:10 101:3 126:16,21 127:2,9,17,22,22 128:3,12,19 130:6,8,9 132:14 planning 52:15 54:19 91:7 92:3 107:4 120:9 plans 103:7 127:19 129:23 platform 4:10 play 42:20 109:10 142:8 please 6:19 7:2,15,21 8:19 10:17 32:24 100:15 132:24 145:18 pleasure 26:7 PLLC 2:4 plus 106:7 107:9 point 17:17 19:2 22:10,12 23:22 24:11 25:11,12,13 29:10,13 37:12 37:19 39:5,11 42:18 46:22 49:11 52:23 53:20 57:2,10,21 59:4,5,11 59:11 76:16 77:15,19 78:19 80:12 81:14 84:20 85:3,10,21 100:21 105:18 114:12 115:3 119:13 120:5,6,8,10 122:2,10 125:2,16 126:15 127:13,14,21 131:18 132:5,6 134:5,7 137:17 138:2,5 139:2 141:9 142:5 143:5 146:25 147:19 148:18 points 50:24 55:19 57:13 120:3 122:5 129:14 132:6 141:23 143:8 policies 149:17 populated 104:21 portion 55:15 77:8,12 119:24 120:11 125:17 126:16 position 41:23 possible 65:23 post-graduate 9:15 potential 22:7 42:23 71:14 77:18 78:9,15,18 79:3 91:2 145:10 potentially 23:3 79:7 Preis 100:5 preparation 13:8,25 14:7 20:4 25:3 25:4,5,8 28:22 29:14 prepare 12:23 19:14 24:25 28:10 28:22 37:14 38:23 52:2 100:25 101:24 102:5,19 119:11 129:3 prepared 90:25 95:21 123:9,23 129:15 preparing 24:11,12,14 50:23 59:14 prepped 123:8 prerequisites 39:2 </p>
<p style="text-align: center;">P</p>		
<p> P 2:2,2 p.m 150:12 package 82:4 page 26:2 32:16 41:22 50:3 55:10 69:21 83:3 100:6 118:14 152:4 paid 72:16 paragraph 40:10 41:22 47:5,19 82:2 83:21 87:3 88:9 92:25 94:6 95:8,17 Pardon 16:23 part 19:25 86:17 88:2 92:13,20 106:3 108:16 121:6,19 125:9 127:14 134:6,18 146:9 participate 43:8,20,24 44:4,22 45:17 46:8 63:10,12 82:5 84:9 109:12 142:19 </p>		

<p>presence 4:24</p> <p>present 4:4 63:16 133:11</p> <p>presentation 121:6,7,19 123:7,7,10 123:14,17,21,23,25 124:3,8,12,19 124:24 125:10</p> <p>presented 5:15 95:14</p> <p>presenting 136:20</p> <p>preserve 74:3</p> <p>Prestige 11:12</p> <p>presumed 84:13</p> <p>pretty 69:9 123:12 125:23 126:6 128:3</p> <p>previous 106:14 110:23</p> <p>previously 37:3 57:7 69:20 102:4</p> <p>price 55:19</p> <p>printout 93:14</p> <p>prior 19:3 31:20 67:13 68:6</p> <p>privately 137:23,24</p> <p>privy 107:15</p> <p>probably 19:22 58:25 90:24</p> <p>proceed 70:13</p> <p>proceeding 69:16 73:14 100:17 117:21 118:24</p> <p>proceedings 29:2</p> <p>process 16:10,18 19:18 28:2 38:16 70:11 78:10 80:6 90:2 95:16 96:9 111:6,13 112:12 115:10</p> <p>processes 70:10</p> <p>product 56:14 99:7 121:12 134:15 142:15</p> <p>products 56:15</p> <p>professional 10:3</p> <p>professionals 88:10,17 89:2,5</p> <p>programs 9:22</p> <p>progress 46:10,18</p> <p>project 16:12 45:23 76:5,8,12,20 85:15 86:18 88:11,17 89:2,6,23 90:3 92:21 93:7</p> <p>projects 76:2</p> <p>proper 88:10,16 89:2,19</p> <p>properly 42:9 56:5,8,12,18 66:4 72:16 74:13 89:20</p> <p>property 66:14,22 99:14</p> <p>proposal 51:22</p> <p>proposed 50:8 52:7 145:10</p> <p>proposing 53:3</p> <p>provide 131:5 144:25</p> <p>provided 54:11 121:9</p> <p>providing 94:21</p> <p>public 1:20 3:15 5:19 17:19 151:22 153:5</p> <p>pulled 138:17</p> <p>purchased 66:18</p> <p>purpose 4:18 141:17</p> <p>pursuant 1:17</p> <p>pursue 41:15</p> <p>pursuing 147:18</p> <p>put 12:21 25:10 28:14 50:24 82:14 110:3,8 115:9,12 143:9 148:13</p>	<p>putting 22:4 80:19 104:18,18 132:2 142:23,24</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualify 81:10</p> <p>question 3:11 7:3,10,16,17,19,24 10:2 15:18 22:17 48:18 49:3 58:16 61:16 67:19 70:22 93:5 101:10 121:13 132:24,25 133:3 137:12,13</p> <p>questioning 64:20 88:6</p> <p>questions 6:19 33:6 38:19 64:16 85:22 117:15 149:25 150:3,6</p> <p>quick 149:19</p> <p>quickly 69:9</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R 2:2 40:20,22 41:12 153:2</p> <p>raised 22:18</p> <p>Rappaport 2:4 6:10</p> <p>rare 41:18</p> <p>rate 56:2</p> <p>rates 56:10</p> <p>reached 89:16</p> <p>read 7:12 15:21 31:5,8,10 32:4,6,22 32:24 61:5 68:24 73:24 83:5,18 100:14,18 118:19 119:5 121:17 124:6 151:8</p> <p>reading 83:6 96:12 100:13 119:8 124:4 125:4</p> <p>reads 91:3 94:6 107:8</p> <p>ready 117:9</p> <p>real 102:10 149:19</p> <p>realistic 101:12</p> <p>reality 28:19 94:22</p> <p>realize 66:6 129:13</p> <p>realized 105:8</p> <p>really 13:18 35:5</p> <p>reask 15:18</p> <p>reason 7:11 22:18 134:2</p> <p>reasons 22:20</p> <p>recall 26:16 27:13,16,22 28:4,7,8 28:18 34:4,9 35:11 39:24,25 45:10 59:21 62:14,16 63:3 64:24 65:16 74:21 86:12 93:16 95:23 98:9,17 110:25 112:16 114:11,16 127:12 134:20 137:20 138:17,20 139:6 141:22</p> <p>receive 82:3</p> <p>received 53:14 127:23,25 128:13</p> <p>recess 117:25</p> <p>recipients 30:5</p> <p>recognize 26:3 30:6,13 31:16 32:2 32:21 50:3 55:14 60:16 62:11 73:8,23 79:22 83:19 100:12,19 119:6</p> <p>recognized 81:5</p> <p>recollect 23:22 25:2 45:20 83:20 98:6 99:8,17 102:20 123:11</p>	<p>125:11,13,15 127:10 137:18,19</p> <p>recollection 34:15 57:12 102:17</p> <p>recommended 23:8,11 121:4</p> <p>record 4:22 5:22,25 15:21 77:6 140:12 151:11,12 153:11</p> <p>recorded 4:13 6:17,18 137:7,8,14 137:17 139:21 140:17,25 141:3,6</p> <p>recording 4:14 137:18 139:23 140:4,6,13,23</p> <p>records 106:7</p> <p>redo 103:11</p> <p>reduce 15:11</p> <p>referring 26:22 33:14 34:22 51:24 52:23 63:24 71:19 90:23 97:4,5,6 101:7 102:3 103:14 105:11 106:10 108:23 112:23 136:21 137:2 138:5</p> <p>refers 25:13</p> <p>refresh 13:3 34:15 57:12 102:17</p> <p>regard 35:18 42:12 53:11 57:14 91:25 134:10,16 146:7</p> <p>regarding 80:5 91:5</p> <p>related 86:22 153:14</p> <p>relation 16:11 20:3 22:9 23:20 25:13 63:6 80:17 93:7 97:23</p> <p>relationship 15:25 148:23</p> <p>relativity 47:6,22</p> <p>relay 70:20</p> <p>relayed 70:18</p> <p>release 149:16</p> <p>relevance 43:21</p> <p>relying 90:23</p> <p>remember 12:13 13:2 14:8 18:15 19:24 26:20 27:10,11,25 30:14 33:4,15,21 34:19 35:5,7 40:4 52:4 56:10 58:15 59:2,18 60:3 61:18 62:17 64:9,20 65:9 66:9,15 67:6 68:6 69:25 70:14 75:18 86:6,11 93:9 97:12,13 98:2,11,18,19,22 107:19 110:4,12 111:21 112:11 127:11 128:3,6,18 129:12 130:9 131:4 132:22 133:6 134:23 135:10 142:10,22 145:15</p> <p>remote 4:8</p> <p>remotely 4:6 5:19</p> <p>repeat 48:18</p> <p>repeated 7:11</p> <p>repeating 75:15</p> <p>rephrase 7:17</p> <p>replies 113:7</p> <p>report 132:6,7,11 133:5,24</p> <p>reporter 1:19 4:2,7,22 5:9,21,24 6:22 7:4,12 132:25</p> <p>reporting 4:11</p> <p>reports 15:8</p> <p>represent 5:10 6:11 50:17 135:2</p> <p>representative 18:6</p> <p>represented 112:25</p> <p>representing 27:24</p>
---	--	---

reputation 47:7 request 6:18 51:10 requested 15:22 33:3 83:12,17 119:4 REQUESTS/PRODUCTION 152:23 required 22:23 80:11,13 115:18,23 142:4 requirement 38:25 85:8 129:22 requirements 29:9 research 133:10 reserved 3:11 respective 3:6 26:8 respond 7:3 response 64:3 113:6 133:2 responses 6:23 responsibilities 42:8 responsibility 42:21 131:6 responsible 97:22 100:24 101:18 105:2 restaurant 64:9 65:5 retail 1:3 6:12 17:5,6,10 23:6 28:17 28:19 36:14 40:13,25 41:10,17 129:25 142:11,13 149:12 retailer 41:9 46:16 79:8 121:20 retailers 17:9 36:6,8,12 return 43:5 48:5 returned 120:3 returns 42:3 review 13:24 46:24 54:14,23 90:9 91:22 105:5 128:10 reviewed 55:3 90:6 127:20 reviewing 105:2 reward 42:24 rewards 42:9,16 right 14:12,23 22:13 25:20 27:9 33:13,20 37:9 40:25 43:3 44:24 46:3 51:14 58:14,15 69:24 71:23 75:24 76:6 81:18 82:10 98:20 101:15,18,19,25 102:2,15,23 103:3,24 104:13 111:2 113:16 115:4 124:17,20 125:15 137:3 138:15 139:6 142:21 145:7 147:5 rights 51:7 57:3,10,23 59:12 ring 136:12 risk 43:9 44:22 47:6,11,22 48:5 risks 47:11,14 Rockville 2:5 role 11:2 14:14 20:3 24:6 42:16,19 42:21 44:15 52:18 58:8 59:23 92:13,22 93:4 109:10 141:25 142:7 roles 12:2 42:8 93:3 room 30:17,21,24 48:16,19,24 49:3 49:4,9,13 53:13 68:11 84:10,13 90:14,19,22 91:4,12,25 101:4 103:8,9,13,14,16,21 104:2,5,8,11 104:15,17,21 137:21 138:15,18 139:3,11,13,15,16 141:10 146:6	rooms 49:6 Roseland 2:10 round 108:22 110:7 rounds 111:4,10 ROWE 2:9 rules 6:16 rumors 67:23 run 142:16 running 142:13 <hr/> S <hr/> S 2:2 152:7 S-E-S-S-I-O-N 118:2 salary 106:6 107:9,13 108:10 sale 80:6 sales 15:9 92:16 Saturday 31:11,12 saw 105:21 saying 7:7 32:19 41:17 45:8 47:21 75:9 84:15,23 87:14 88:18,20 91:13 98:23 104:17 106:25 108:21 110:14 113:2,17 116:7 117:18 119:12 120:18 121:5,19 123:4,20 138:7 139:17 141:2 145:15 says 27:3 52:6 57:10,21 71:24 87:3 89:13 100:21 106:11 110:10 118:16 122:3 123:11,13 124:15 sberlowitz@frblaw.com 2:7 school 9:7,13,17,18 schools 9:16 Scott 62:8 63:4 65:13,16 66:13,16 66:25 100:5 screen 139:8 scroll 32:23 69:21 83:7,13 118:21 118:25 scrolled 33:2 83:11,16 119:3 Scrolling 55:9 sealing 3:7 search 23:19 second 16:19 40:10 50:19 52:19 53:20 57:2,9,21 69:21 106:24 107:8 119:13 121:25 142:3 secondly 143:10 see 26:9,14 30:18 33:12 35:7 40:13 42:4 43:10 46:11 47:19,23 50:10 52:9 53:22 54:15 55:20 57:4 60:25 61:4,9 62:13,16,18 68:11 68:14 69:10 71:15,16 72:3,4 74:4 77:11 80:7 82:6 84:3 87:6 88:2,13 90:15 91:7 92:6 94:12 95:16 101:4 106:8,14,17,18,25 107:10 108:18,24 113:4,7 114:9 116:5 118:17 121:24 127:6 128:12 129:17,18 130:4 133:24 134:15 141:13,15 144:12 seeing 73:9 84:15 seek 42:10 seen 31:3 74:9,11 90:21 95:23	120:25 125:7,12,13 126:13 128:14 130:6 sell 43:17 selling 20:21,23,25 35:25 36:9 43:16 send 77:9 sending 68:10 70:6 sense 71:15 72:4 sent 25:25 33:23 48:22 49:24,24 60:13,20 62:8,18 68:16 73:6 82:25 98:9 100:3,11 106:2 sentence 40:14 41:4 42:4 43:10 46:11 72:3 80:7,7 82:3,6 90:12,15 91:3,7 94:12 106:24 107:8 108:24 114:23 separate 4:8 107:18 138:18 set 48:17,20 66:18 153:8,19 setting 107:2 seven 56:9 57:13 70:24 75:17 110:5 132:5,7 share 26:8 118:5 132:3 shared 87:5 shares 61:13 sharing 25:18,19 29:22 32:13 60:11 62:5 73:2 79:16 95:15,25 96:8 99:21 Shay 79:18,24 81:4 sheet 93:8,10 95:13,22 shoot 47:9 89:15 shooting 88:11 shoulder 6:21 show 31:14 73:10 126:7,10 showing 49:22 93:23 128:15,19 shown 69:20 138:18 shows 83:24 shrug 6:21 side 34:8 35:2 44:12,20 64:19 65:5 65:6,18,19 135:19 signed 3:14,16 30:16 103:23 151:19 similar 85:12 86:15 91:17 simply 41:17 sitting 64:19 65:5,6 66:3 109:20 110:5 115:8 139:15,15 six 10:21 89:20 110:4 112:6 129:17 131:18 size 76:13 slightly 73:10 small 20:12 22:15 smaller 11:25 SMITH 2:9 Sod 62:8,19,21 64:2,11,16 66:10 67:2 100:4 106:2 113:6 114:3 sold 114:13 solo 40:2 somebody 28:14 44:25 74:12 109:23 110:10 111:12 somebody's 43:4 53:3 somewhat 83:4 100:9 son 34:18 49:25 135:11
--	--	---

<p>son's 135:16 sorry 9:6 13:11 48:3 51:18 56:11 61:11 66:5 sort 37:25 72:10 sound 108:2 137:3 source 55:25 sources 122:20 sourcing 55:17 59:7 122:4,23 SOUTHERN 1:2 space 119:14 122:3,18 speak 13:7,16,19,21 45:8,12,15 49:15 65:21 71:13 74:17 85:9,19 91:15,18 96:3 speaking 7:5 23:18 65:24 138:6 specific 23:5,21 25:7 28:7 29:9 38:14 39:19 40:21 45:10 48:11 57:9 78:6 80:10,13 85:22 88:6 93:9 97:16,17 98:15 110:22 122:25 141:21 specifically 15:4 40:6 42:12 51:2 57:14 85:11 86:14 90:20 141:11 141:24 specified 110:21 speculate 126:2 131:12 spending 95:3 spoke 13:14 16:13 22:6 36:12 79:2 89:3 96:22 97:2,3,4,9 119:14 122:18 132:17 spoken 65:22 66:2 107:2 spread 93:8,9 Srour 13:19 26:12 32:15 49:25 62:9 79:18 83:2 100:4 135:14 139:7 ss 151:4 stalking 115:19,22 stamped 50:2 79:20 83:3 standing 137:25 stands 85:25 start 47:21 86:17 100:8 135:8 started 10:21 12:17 14:25 19:17 37:18 53:10 105:7 116:16 144:9 starting 10:18 starts 95:8 state 1:20 5:4,16,19 9:10 124:11 151:4,22 153:5 statement 88:21,25 120:6,11,12,16 120:23 121:16 States 1:2 11:5 staying 145:22 stenographically 6:17 Stenotype 1:19 step 46:18 Stephanie 100:5 steps 80:6,11,13 81:11 Steven 2:6 6:6,9 118:4 sticking 143:5,7 144:18 stipulate 4:21 stipulated 3:4,9,13 4:3,12 5:5 STIPULATIONS 3:2</p>	<p>stopped 20:22,24,25 storage 55:19 56:14 store 28:17 stored 94:2 stores 17:7,10 28:20 41:10 61:14 91:6 92:2 93:24,25 94:3,5 straggler 117:15 strategic 38:4,6 122:4 strategically 44:6 strategy 24:8 37:22 59:7 85:5 120:7 120:7 122:2,9,12,17,23 125:5,8 125:16,18,21 126:4,8 Streider 136:7 strengths 35:16,19 39:16 strike 139:18 strong 41:24 42:6 strongly 36:2 43:25 subject 10:9,13 60:14 62:10 63:7 83:2 submission 20:4 submit 19:14 24:25 28:11,23 37:14 38:24 39:5 80:11 81:16 110:15 submitted 77:11 80:20 111:20 114:5,6,24 116:4,8,8 submitting 39:2,9 77:14 78:22 146:14 subscribed 151:19 subsidiary 11:6 successful 42:24 successfully 23:7 suffered 56:3 suggested 50:22 100:24 102:12 suggesting 70:19 suggestion 72:7,9,13 Suite 2:5 summarizing 41:14 summary 47:5,5 Sunrise 2:5 supplier 35:23 supply 41:25 44:2 47:13 74:12 142:15 supplying 35:25 63:22 support 59:5 88:24 supposed 71:6 96:14 143:9 sure 27:12 30:25 31:15 33:8 49:5 49:14 56:7 66:20 73:22 93:14 96:21 106:5,11 110:25 117:14 swear 4:20,23 sweat 143:4 Sweeney 100:5 sweeten 124:7,10,15 switching 17:15 sworn 3:16 5:19 153:8 synergy 20:20 21:5 23:10 72:11 74:10 System 9:24</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>T 151:2 152:7 153:2,2</p>	<p>table 64:8 65:4 109:22 110:7 131:18,19,22,25 take 6:22 7:7,23 14:6,9 20:11 32:23 69:12 86:25 109:24 117:12,12 120:10 131:6 142:6 143:20 150:8 taken 1:16 81:12 87:20 111:8 117:25 138:8 151:9 talk 45:5 74:22,24 88:4 104:11 talked 14:17 39:13 70:18 talking 18:21 19:6,25 20:7,8,8 24:4 38:20 39:14 45:19 49:5 60:5 64:10,18 65:12,12,20 66:4 67:25 70:16 71:2 75:16 96:23 102:8 104:16 122:24 125:10 132:18 133:23 138:10,21,25 139:4,16,18 143:13 148:2 talks 31:2 41:2 92:25 target 29:3 36:10 targeting 18:12 targets 67:21 team 46:8,16,22 47:17 58:10 59:5 59:14 85:14 86:17 87:12,15,17,22 87:23 90:13 91:20 94:7,8,15,19 94:25 95:3,10 126:24 134:6,11,16 138:2 teams 88:10,16 89:5 91:21 94:22 tech 61:16 86:21,22 technology 47:12 59:8 85:7 126:15 126:20 127:2,8 tell 13:2,14 16:20 18:14 24:15,19 24:23 28:16 74:20,23 83:6,7 86:5 87:14 100:14 105:13 118:20 126:3 133:7 137:16 141:5,11 142:7 telling 39:25 53:24 54:17 57:23 83:23 91:19 101:13,17,20,23 134:20 139:25 Tempke 69:23,23 70:8,15,21 71:9 71:19 72:6,19 73:5,25 74:16 79:20 101:9,11,14 ten 54:21 63:22 75:18 112:11 terms 28:25 75:9 95:12 122:4 123:3 146:25 147:10,11,13 terrain 47:15 test 35:10 testified 5:20 57:7 testify 8:17 testifying 8:3 testimony 151:9,12 153:11 thank 6:25 57:20 141:17 149:25 150:4,5,5,7 Thanks 32:19 thing 22:14 59:11 89:16 102:7 144:24 things 28:15 29:5 38:21 51:6,20 59:13 65:20 67:25 75:17,19,24 86:20 87:13 89:21 98:11 102:13 113:15 126:24 think 12:12,13 17:19,23 18:5 19:21</p>
--	--	---

<p>19:22 20:19 21:4,25 22:4 23:17 24:3,12,22 34:8,19 38:4 40:18 42:23 45:14 58:24 59:9 64:7 65:12 66:14 69:8,9,11 71:22 74:2 74:2 76:13 80:2 81:23 84:13 87:10 89:7 93:22 94:2 103:22 110:7,18 111:6 115:11,20 116:16 117:13 120:2,19 129:21 130:17 130:22 135:9 143:7,11 144:8,12 144:17 147:19 148:17 149:18 thinking 138:22 third 59:5 125:16 142:5 THOMAS 2:11 thought 9:6 23:5 43:3 44:18 thoughts 23:2 thousand 110:9 thousands 68:22 three 19:22 34:8,25 55:12 58:2 89:19 111:7 112:5,7 120:7 128:20 141:23 threshold 114:6,12 time 1:18 3:11 5:2 7:22 17:18 19:19 23:18 25:16,22 27:23 28:23 29:14 29:20,24 31:17,22 32:8,10,24,25 38:3 41:6 47:8 48:6,22 49:17,19 60:6,8 61:24 62:2 67:7,8 69:15,17 71:5 72:21,23 73:13,15,17 75:21 75:22 76:20 77:3 78:15 79:11,13 81:14 82:18,20 83:10,15 89:8,15 94:2,11 95:4 96:11 99:19,23 100:16 109:19,23 111:15 116:15 117:20,24 118:7,9,23 119:2,7 137:5 138:12 140:3 143:18,19,24 150:5,10 timeline 89:22 timelines 98:15 times 28:6 96:12 111:19 112:5,7,9 112:10,15 timetable 25:6 timing 89:8,11,17 99:9 tmurphy@greenbaumlaw.com 2:12 today 5:12 8:17 12:24 26:8 85:25 91:23 139:21,25 140:2 today's 13:8,25 14:7 told 12:25 18:11 25:7 28:8 41:16 56:7,11 70:17 75:6 79:5 81:10 92:17 94:23 96:6 97:15 119:11 133:15,17 134:3 141:14 tons 43:14 top 30:9 32:18 46:7 71:23 100:8 118:13 topics 141:21 total 50:7 52:6,23 53:17 55:6 touch 22:2 126:24 traditional 121:20 transaction 48:11 71:4,14 95:11 transactions 37:24 transcript 151:8,10 153:10</p>	<p>transfer 126:16,20 127:2,9 transition 94:11 translating 20:9 trial 3:12 tribunal 10:15 true 151:11,13 153:11 truthfully 8:17 try 20:2 36:25 90:11 100:9 trying 28:2 31:13 35:10 36:22 turn 40:9 turnaround 120:6 122:2,9,12,16 125:5,7 turns 111:17 twice 112:2 two 11:18 19:22 26:19 28:3 29:4 34:6,7 40:19 41:11 45:18 49:5 58:2 59:11,12 73:21 100:21 120:6 125:18 131:19 133:9 135:20 141:23 143:7,15,19</p> <hr/> <p>U</p> <p>U.S 40:23 47:18 56:3 ultimate 145:4 ultimately 113:20 147:13 unauthorized 4:17 unchartered 47:15 underlying 54:14 understand 6:23 7:8,13,16,19,24 8:2 33:11 44:14 58:22 65:23 78:13 88:20 93:4 97:7 103:12 105:22 113:12 131:8 understanding 43:23 85:7,24 119:18,21 understood 7:18 17:11 91:23 unfold 28:25 United 1:2 11:4 unknowns 48:10 urgent 95:9 usage 122:4 use 61:17,19 142:14 145:17,20 useful 52:21</p> <hr/> <p>V</p> <p>value 124:7,18 various 36:2 vegetarian 65:7 verbal 144:15 verbally 6:20 verify 21:10 version 60:24 77:6 versus 6:12 19:2 20:12 138:22 video 4:6,13 6:18 97:6,14 136:6,9 139:7 141:10 view 22:7,10 38:22 views 33:11,12 violation 4:17 virtual 26:16,18,23 27:18 virtually 26:8 vision 120:5,10,12,16,23 121:15</p>	<p>W</p> <p>W 151:2 W-2 15:14 wait 7:2,3 waived 3:8 walked 119:10 Walmart 36:10 149:13 want 13:11,15 16:18 18:13,23 23:3 26:23 33:6 40:9,16 43:24 46:15 49:4 50:5 51:12 52:11 58:22 66:16 69:12,19,21 73:22 74:23 76:17 77:10 81:9 83:5 110:24 111:12 117:11,12,14 121:8,25 126:2,3 129:4,23 131:7 132:23 134:19 145:18,22 146:23 147:8 147:10 149:19 wanted 36:17 57:19 63:9 71:10 87:11 89:19,19 96:21 103:9 105:25 124:9 142:19 wanting 37:5 wants 109:22 140:22 warehouse 140:15 wasn't 57:9 92:22 93:4,20 112:11 128:23 148:4 watching 139:7 way 7:4 15:18 121:17 123:24 124:14,21 145:3 153:16 ways 40:8 we'll 144:11 we're 42:20 49:5 73:20 106:5,11 web 1:17 4:9 5:12 websites 149:13 Wednesday 114:2 week 89:13,14 weeks 13:4 19:23 29:4 Welspun 11:20,22 went 13:5 77:21 84:8 110:13 111:6 114:16 138:3 139:12,14 144:8 weren't 76:22 81:2 92:19 WHEREOF 153:18 wholesale 16:24 wholesaler 20:12 46:15 wholesalers 17:13 43:14 79:9 willing 112:18 113:23 114:15 116:19 win 112:19 116:19 winning 116:11 winters 100:3 108:23 112:23 116:3 witness 1:15 4:7,20,23,25 5:11,15 5:18,23 6:2 8:9 117:16 150:7,9,11 152:4 153:7,12,18 words 125:18,18 131:19 145:17,20 145:25 work 10:17 12:7 14:22 15:5 16:7 17:9 19:13 23:19,21 24:2,24 25:11 28:10 29:12,16 37:13,18 39:4 46:17 47:16 51:8 75:10 83:24 84:3,7 85:14,20 87:13,17</p>
---	---	--

88:7,11,17 89:2,5,23 98:16 99:2,7 100:24 101:18 108:7 121:12 124:19 133:3,6 134:9,15 139:12 140:13 146:20,21,23 147:8,20,23 147:25 149:3,10,20,22 worked 10:20 11:6 17:3 106:19 107:6 108:20 120:16,23 130:18 working 11:5,24 19:17 36:13 37:10 38:13 45:23 46:3 75:24,25 76:4 76:12,19,22 86:18 87:19 88:23 94:7,15,17 112:21 122:16 129:21 131:22 132:10,12,14,16 133:16 133:17 146:25 works 80:2 101:14 world 36:14 Worldwide 11:10 worried 89:17 wouldn't 53:2 write 26:6 40:10 41:23 43:8 46:7 46:13 77:10 126:17 127:14 131:19 writes 30:15 71:9 80:4 83:22 106:5 114:4,24 129:14 writing 55:11 73:25 116:3 written 4:15 33:4 85:13 wrote 32:20 33:9 40:24 45:6,7 50:6 57:13 74:7 118:17 119:16,20,24 119:25 120:12 122:6 125:17 132:7 134:7	1:40 150:12 10 26:2 27:2,3,4 28:5 30:4 31:10 58:17,20 79:15,17 152:18 10,000 110:9,22 10.2 108:22 113:3,20,23 115:4 10:00 1:12 116:17 100 129:16 100,000 110:16 10791 152:9 10868 62:11 152:15 11 82:22,24 114:7,24,25 115:12 152:19 11301 79:21 152:18 11375 6:4 11570 2:5 11714 83:4 152:19 11729 118:15 152:21 118 152:21 12 33:19 37:12 38:22 39:7 50:18 58:13 99:22,25 152:20 12:25 117:11 120 92:10 93:25 13 32:16 33:23 48:23 118:11,13 152:21 14 49:24 60:15 14065 100:7 152:20 15 50:19,20 51:3 52:3 67:16 112:11 114:13 134:22 135:3 139:8 140:24 141:18 15.5 114:21 116:4,9 15th 51:5 57:17 59:25 16 82:6,11 17 1:12 73:6 151:10 18 58:25 19 62:8 1991 10:21 1996 10:22 19C 6:3 1st 153:19	25 35:21 152:9 265 2:5 2770 152:12 2783 152:13 28 100:6,11 102:14,25 106:2 114:2 2800 152:14 2920 73:7 77:8 152:16 2921 152:17
X	2	3
X 1:3,11 152:2,7	2 29:23 30:2 69:21 110:10 152:10 2.1 110:11 2/20 143:17 20 56:14 114:6,12,14,16,22 116:22 143:15,20 20,000 56:10 110:9 200 110:18 2001 11:11 2020 11:23 36:22 37:4 149:20 2023 16:5 33:19 125:21 134:9,22 2024 1:12 151:10,20 153:20 21 12:13 15:2 22 12:12,13 15:2 81:15 82:8 23 19:20 85:21 90:7 95:20 24 120:17,24 121:16 122:17 125:21 126:21 131:23 132:11,21 133:3 134:9 24/7 140:13,15	3 31:21,24 152:11 30 35:22 152:10 31 152:11 32 152:12
Y	4	4
Yale 9:4,7 Yeah 14:2 28:12 78:16 89:12 143:23 year 42:2,2 56:13 years 10:21 11:7 35:22 44:3 54:21 63:22 128:20 Yellowstone 6:2 Yesterday's 33:10 York 1:2,20 2:5 5:20 6:4 151:4,22 153:5 Yuen 136:11	14 49:24 60:15 14065 100:7 152:20 15 50:19,20 51:3 52:3 67:16 112:11 114:13 134:22 135:3 139:8 140:24 141:18 15.5 114:21 116:4,9 15th 51:5 57:17 59:25 16 82:6,11 17 1:12 73:6 151:10 18 58:25 19 62:8 1991 10:21 1996 10:22 19C 6:3 1st 153:19	4 32:11,14 152:12 40 56:15 49 152:13
Z	5	5
Zoom 4:9 25:17 27:7,8 29:21 31:18 32:9 49:18 58:17 60:7 61:25 69:18 72:22 73:16 77:4 79:12 82:19 99:20 118:8	5 49:21,23 152:13 50 2:5 50/50 106:5,11	5 49:21,23 152:13 50 2:5 50/50 106:5,11
0	6	6
07068 2:10	6 60:10,12 152:14 60 115:20 152:14 62 152:15	6 60:10,12 152:14 60 115:20 152:14 62 152:15
1	7	7
1 25:21,24 152:9 1.4 92:10,16 1.6.1 60:24	7 62:4,6 152:5,15 70-25 6:2 73 152:16,17 75 2:10 79 152:18	7 62:4,6 152:5,15 70-25 6:2 73 152:16,17 75 2:10 79 152:18
	8	8
	8 72:25 73:3,4 152:16 82 152:19 8791 152:11	8 72:25 73:3,4 152:16 82 152:19 8791 152:11
	9	9
	9 60:24 73:19,20 152:17 90 129:15 9434 152:10 95 93:23 94:4 99 152:20	9 60:24 73:19,20 152:17 90 129:15 9434 152:10 95 93:23 94:4 99 152:20